

THE  
AMERICAN REVIEW:  
A WHIG JOURNAL  
OF  
POLITICS, LITERATURE, ART AND SCIENCE.

VOL. VI.

JULY, 1847.

NO. I.

THE CONSTITUTION; WRITTEN AND UNWRITTEN.

It may surprise some of our readers to find us speaking of an unwritten Constitution, as if any such thing actually existed, or was, indeed, possible, in this country. Any such surprise, we believe, may give place to conviction, and, we hope, to very serious reflections, by the time we have concluded what we have to say on the subject. The general impression undoubtedly is, that we have, and can have, no Constitutional Law in this country, whether for the several States of the Union, or for the Union itself, but what rests in the text of written instruments. Many, however, who are better instructed on this subject, understand very well that written Constitutions, like all statutes, are necessarily the subjects of authoritative construction and interpretation; and that the conclusions thus reached, when established in a legitimate way, are to be taken along with the written text, as if they were a part of it, for all practical purposes. The several departments, or functionaries, of the government, must put a practical construction on their own powers, and, with or without the aid of the Judicial Department, settle, by their action, many points about which doubts may have arisen. And so much of Constitutional Law as thus rests in interpretation and practical construction, is unwritten law; and so far it may be deemed unavoidable that the written text of the highest law known to political communities, or governments, and where the purpose has been to keep that text as clear as possible of all *esoteric*

authority and influence, should come, at least in some instances, to depend on matter existing out of and beyond the instrument itself, for its true meaning, and for the extent or limitation of its actual powers.

But when we speak, in this article, of an unwritten Constitution, we mean something more than this. We think it quite possible for Government, by a practical use of powers more than doubtful, greatly to enlarge the scope of its real authority. Indeed, important and substantial amendments, or rather radical changes, may thus be made in the written instrument; as much so as if they were effected directly by conventions of delegates and popular suffrage. It is not impossible, in this way, essentially to subvert the original Constitution, and set up another and a very different Constitution in its place. We are constrained to think, and it is the object of this article to show, that an operation of this sort has been begun already, and the effect of subversion and substitution actually wrought out, or is being accomplished, to a very serious and alarming extent. There are several clear cases of assumption of power in which the Administration at Washington have indulged within a very recent period, which, if submitted to and acquiesced in by the country, so as to become good and approved precedents for future imitation and action, work, we affirm, an essential and abiding revolution in the Government. As the measures of the Administration, based on these as-

sumptions of power, have either been executed, or are in process of successful and unrestrained execution, we hold that the written Constitution of the United States, so far as the authority and acts of the existing Government can go, is already actually subverted in the most essential points, and a new Constitution, partly written and partly unwritten, is so far substituted in its place.

We hope that no intelligent reader will turn away from this suggestion, that an unwritten Constitution of the United States, in whole or in part, may be made to take the place of the written instrument, however incongruous such an idea may appear with all his previous notions on the subject. Let it be remembered what the British Constitution is, and how it has been made and settled. It is wholly unwritten, though many of its principal features are determined by reference to written documents; and it defines the prerogatives of the sovereign and the authority of parliament, and the powers and privileges of the several estates of the kingdom, and the rights of the nation or the people, just in accordance with the leading occurrences and facts in the history of the empire. It is altogether historical. Such prerogatives as the sovereign has been accustomed to assume and exercise, with the concurrence of the other estates and of the nation, are his constitutional prerogatives. The powers and privileges of the other estates, and the national or popular rights, have been settled in the same way. Some important points in this Constitution, as we all know, have not been adjusted without serious contest and commotion; some, indeed, not without civil war and violent revolution. And we must not forget that if the pretensions and assumptions of prerogative and power put forth and practised by the Stuart kings of England, had prevailed—if they had been acquiesced in and submitted to by the nation—if these kings had not been resisted, and the race and name finally expelled from the kingdom—the English Constitution would have been quite a different thing, in its most vital parts, from what it became under the revolution of 1688, and what it is now. This case of the English Constitution is referred to as an example to show how easy and natural a thing it is for an unwritten or historical Constitution to grow up in any country; and we, in this country, deceive ourselves egregiously if we suppose that,

because we began with a written instrument, we are therefore secure against any changes in its features or provisions, except such as may be made according to the forms prescribed in the terms of the instrument itself, and plainly written down, like the rest, as a part of it. If powers are assumed by the Executive, or any department or branch of the Government, and exercised with the concurrence of the nation, we do not see why such powers must not thenceforward be deemed Constitutional, and all acts performed under them as legitimate as if the authority for them was found inserted, *in hæc verba*, in the written instrument. At least, this must be so, until some very explicit and significant act of dissent shall be manifested on the part of the nation. We do not say that every President and Administration would be bound to follow a bad example, and exercise a forbidden power, because a preceding President and Administration had done so. But a forbidden or unauthorized act once passed and accomplished, and the clear sanction of the nation added, could not but be regarded as giving a sufficient authority for its repetition. We know of but one test to which the matter could be brought, and that would be an impeachment; and nobody can pretend that an impeachment could be maintained for an act which could be justified by a clear precedent, when there had been, at the time, not only no impeachment thought of, but, on the contrary, a manifest acquiescence and sanction of the nation. It is true, undoubtedly, that the force of such a precedent, so acquiesced in and sanctioned at one period, might be destroyed at a subsequent period, by a manifest national dissent. Still we must hold that in every case of the exercise of usurped power, once fairly having the national sanction, and not repudiated or condemned by competent judicial authority, nothing short of an unequivocal national act of dissent could hinder that power from being placed in the number of the legitimate constitutional powers of the Government. And more than this; there are acts of Government which, once past and performed, cannot be recalled, and if the power be usurped, it is a usurpation, not only for the occasion, but for all time, or as long as the Government shall stand. Take the case of the acquisition of Louisiana as an example and illustration. If there was no authority in the written Constitution for this great measure—one which

has wrought such a change in the whole condition, prospects and destiny of the republic—and we know, at least, that Mr. Jefferson, who was its author and finisher, never entertained a doubt to the contrary—still, when it was once accomplished, when that vast country had been brought under the dominion of the United States, it was too late, if there had been any such disposition, either then or at any time since, to retreat from the position we had assumed. The Old Thirteen had become joined to a new country and domain, and the written Constitution, which had opened, as by a broad chasm, to let in the new territory and its population, must expand itself, and keep expanding, to meet every duty and every exigency of government, which might arise on account of the new acquisition. There was no escape and no alternative. So that those who are prepared to hold or admit, with Mr. Jefferson, that the act by which Louisiana was acquired could not be made to rest on any power in the written Constitution, must admit also, and cannot doubt, that the Government of the United States has, in this single instance, clothed itself with new powers of vast extent and significance, which are now unquestioned and unquestionable ; powers adequate not only to the acquisition but to the control and government of a great added empire, with a vast and ever-growing population, in all its complicated affairs and interests, to the full extent to which the authority of the government is exerted, under its written powers, within the limits of its original jurisdiction. And if such new powers exist—if they have been exerted—and we see their manifest operation and influence every day and in a thousand forms ; and if it be conceded that these powers are not found in the original written Constitution of government, then it is clear that they exist outside of that instrument, and are unwritten powers added, by sheer usurpation and the general consent of the nation, to the powers and authority of the written textual Constitution.

We have put this case, in a manner, hypothetically, in regard to the question of original Constitutional power, because it is not very material to the point for which we are using it, whether it was actually a case of usurped power or not. Opinion scarcely differed about it at the time. The friends, as well as the opponents of the measure, the most promi-

nent of them, were unable to find any sanction for it in the Constitution ; and some of them, Mr. Jefferson among them, proposed that the breach made by this proceeding in that Instrument should be healed by a *post-facto* amendment ! At least, then, we have a fair right to present this case of the acquisition of Louisiana, since it was very commonly deemed at the period a pretty clear case of usurped and unaccorded power, as in point, to show that it is not an impossible, or even an improbable thing to happen, that the authority of the Federal Government, or of the Executive, should come to be very materially enlarged and extended, by means of assumed powers, which, having the national sanction, whether by some express act, or by expressive silence, must thereafter be regarded, albeit unwritten and historical merely, as having an equal validity with those which are found in the written text of the Constitution.

But we come now to consider several recent instances of what we deem to be clear assumptions of power, all of them cases of the highest importance, and which, if we are to look upon them as having already received the national sanction, or as certain to do so, have assuredly wrought the most essential change in the Constitution of the country—have engrafted upon it unwritten provisions, which overthrow the text, and war with the spirit of the written Instrument—have clothed the Federal Government, and the Executive especially, with new and extraordinary powers, such as, in the beginning of our history, no madman ever dreamed of as fit to be entrusted to the sort of government which this was intended to be.

The instances to which we refer begin with the Annexation of Texas to the United States, and all of them have grown naturally enough out of that transaction. First comes the measure of Annexation ; and, when it is accomplished, we have a new and extended empire, and a foreign people, amalgamated with our own, and the Constitution stretched and pieced out, long enough and broad enough to embrace and cover the whole.

While this measure is in negotiation and progress, but before it is consummated, and while, therefore, Texas is as foreign to the United States as China, or Japan, the Executive undertakes the military defence of that foreign country

against all its enemies, and employs the army of the United States in this enterprise.

The next scene in this eventful drama opens with war, brought on by the Executive. Along with Texas, we adopt a quarrel long existing between that republic and Mexico, provided Mexico sees fit to prosecute that quarrel with us, as she had done, and was doing, with Texas. But this failing to bring us into immediate collision with that power, there remained a disputed question of boundary between our new Texan dominions and Mexico, which we adopted with the country, and on this topic the President finds occasion to begin a military movement which brings on the war. Assuming the right to determine, by his personal fiat, that the whole territory *in dispute* belonged to the United States *indisputably*, and having an eye at the same time to some further territorial acquisition, he sends forward a military force to occupy the country, and dispossess and exclude the Mexicans. The war follows, of course, and becomes, on our part, a war of aggression, invasion, and foreign conquest.

The government, having a war of invasion and foreign conquest on its hands, undertaken by the Executive, the next thing to be determined is, by what means it shall be prosecuted. Everybody knows that none but troops of the United States, enlisted in its service, and officered by its authority, can be employed in such a war, under the written Constitution. But the army is wholly inadequate, in point of numbers, to open and maintain a campaign in a foreign country, and it cannot be made adequate by any process of enlistments to meet the immediate and pressing demands of the campaign. Hence, a new power is at once assumed—that of employing the militia of the country, under the name of volunteers, in this distant and foreign service. That species of force, in the service of the United States, is no longer to be restricted within the old constitutional limits, “to execute the laws of the Union, suppress insurrections, and repel invasions.”

But next, it naturally happens, in the prosecution of this unequal war, that foreign territory is overrun by our armies, and is in condition to be brought under the dominion of the United States; and, of course, it seems necessary, if the sovereignty is assumed, to provide, in some way, for the government of the conquer-

ed countries. If New Mexico and California have submitted to our arms, and our conquering power, which claims to have swept away the authority of the Mexican Republic within the limits of these provinces, their inhabitants are entitled at our hands to the protection and benefits of some form or other of regular government. But if foreign territory be conquered by our arms, and brought under our dominion, so long as it remains under this dominion it belongs to Congress, by the written Constitution, to “make all needful rules and regulations” respecting its preservation and government. But Congress, though it has recognized the existence of the war, not having entered into any schemes for foreign conquest, makes no provision whatever, and is never asked to make any, for the protection and government of any conquered country or province; and, therefore, the Executive, who seems resolved on this occasion to show himself equal to every emergency, himself makes every provision necessary to meet the case. Under his personal authority and orders sovereignty is assumed, civil rule is established, and officers are appointed over the conquered provinces, and all the powers of regular government enforced—at least, to the full extent to which the rights of the conqueror are recognized and submitted to.

Finally: as the carrying on a war of invasion and foreign conquest is found to be an expensive operation, and Congress and the country may become tired of furnishing supplies for a contest not certainly of their seeking, and in which they can feel no pride, but humiliation and loathing rather; and as, in any event, the Administration is likely to be held to a rigid accountability by the nation, one day or another, for the cost of this game of hazard and bloody speculation, so far at least as it is supported by regular Congressional appropriations, under the written Constitution; hence, the President deems it proper and politic to set in operation a new mode of supplying the military chest, wholly independent of Congress, and out of the reach of all accountability. Taking possession of the principal ports of the Mexican Republic, and treating them as places conquered and brought under his personal dominion, he sets up his own government over them, establishes custom-houses and appoints custom-house officers, proclaims a tariff of duties on all goods and merchandise



entered at these ports, and invites into them the commerce of all nations—that of the United States along with the rest—who may desire to trade with Mexico, as it is through these ports, and these only, that they are to be allowed to reach Mexico with their supplies, and that only after these supplies shall have first paid a tribute to the personal military chest of the President, for the support of the war he is prosecuting against that country.

Really, it seems to us that the patriotic sensibilities of the American people must be deadened indeed, if they can look on this catalogue and array of gross usurpations of power, as we have here presented them in order, and remain unmoved. Yet these acts have not been done in a corner, but openly, and, as it were, on the house-top. The President must be acquitted of any attempts at concealments. The country has known what he was about; and what serious impression has been made on the public mind? A few faithful men and public sentinels have proclaimed the danger, and tried to sound an alarm; and no doubt men of reflection everywhere are sorely troubled, and are laying these things to heart; but we are forced to confess that, as yet, we have not seen those evidences of popular apprehension—those symptoms of strong popular dissent, ready to rise to the height of an indignant rebuke and denunciation, not to be mistaken, and not to be encountered by anybody, however bad and bold; which we should like to have witnessed before now, among a people who ought to know what liberty is worth, and how only it can be preserved. But, be it our part and duty, as we can and may, once and again, to place these acts of bold usurpation, in formal and urgent array, before our countrymen, that, if possible, and as far as the nature of the transactions will allow, they may yet be met by a spirit of just and determined hostility, which, before it be too late, may prevent their assuming the character of admitted and approved powers. If this cannot be done, still our labor may not be wholly in vain, since it may serve to keep the country advised of the radical changes which are being wrought in the text and fabric of the written Constitution, and of the true "Democratic progress" we are making towards anarchy and despotism.

We recur, now, to the instances we have named, of authority palpably usurped, and boldly used, in order to pre-

sent somewhat more at large, though still with necessary brevity, some of those obvious considerations which show, in a manner too clear for disputation, how impossible it is to find any sanction for these acts in the written Constitution—how wholly and broadly they stand out and apart from that Instrument as new powers, and how essentially they must change the whole character of the government, if they are to be recognized as constituting a part of its legitimate authority.

In regard to the Annexation of Texas; it may be, and probably is, pretty generally regarded as being now too late, for any purpose of practical utility, to go back and insist on the utter want of Constitutional sanction for this measure. It is true, the deed has been done, and cannot now be undone; the measure is consummated and past, and the country cannot, or will not, withdraw from the position and relations in which that measure has placed it. Texas is a part of the United States; it has become a State of this Union, standing by the side of the Old Thirteen, having its representatives in both Houses of Congress, as *they* have, entitled to the same privileges, and bound by the same obligations and the same destiny. Texas, by the voice she has in our public councils, may give laws to the republic, and shape our national policy; she may supply us with our highest minister abroad, a chieftain to lead our armies in the field, and a president. This is all very true—and not the less so, though it be equally true, that Texas occupies this relation to the United States, and the United States this relation to Texas, by a proceeding which, in its very nature, burst the bounds of all Constitutional control and restriction and practically set this nation afloat on an ocean without a shore. We know we cannot help ourselves now; but we think it as well, and not altogether useless, since we have slipped our cables and drifted out from our safe anchorage ground and moorings, never to regain them, that we should at least make ourselves acquainted and familiar with our new position. It were great folly in us that we should fancy ourselves still riding at ease in our own well-chosen and capacious land-locked harbor, when in truth we have gone to sea, where we never were before, and may never see land again—having taken care to leave our best chart behind us.

What was this measure of Annexation—so called? It was not the purchase of a territory or province, belonging to another nation. Texas has not come in, as Louisiana did, by purchase from France, and as Florida did, by purchase from Spain. It is not, as those countries were, an acquisition of so many acres and rods of ground, to be added to the territorial possessions of the United States. Louisiana and Florida were acquired by negotiation and treaty, conducted and concluded by the treaty-making power. In those cases, serious difficulties existed between the United States and France and Spain, respectively; the negotiations had for their object the settlement of these difficulties, which was a legitimate business for the treaty-making power of our government to engage in: we had large claims on those powers, for debts due our citizens, and for spoiliations committed on our commerce, and when they had no money to pay, we agreed to take property from them—namely, land—at a just valuation. We took Louisiana from France, and Florida from Spain, by purchase, and by way of settling and closing up our embarrassing accounts with those countries. So much may always be said in favor of these purchases, as fair business transactions, and as having some sort of warrant in the Constitution to justify them. We wish, for the sake of the Constitution, that the argument was as conclusive and satisfactory, as it may be plausible. But so much certainly is true, that, in no respect or degree, can these cases be quoted as precedents to cover and justify the Annexation of Texas. Texas was an independent republic, as our own republic was—our equal before the law of nations, and in the family of nations. The two republics were united and made one republic, and the separate, identical being of each was merged in the new creation. This was called the Annexation of Texas to the United States; it might as well have been called the Annexation of the United States to Texas. Texas, indeed, agreed to take a subordinate position in the new relation, and the new firm was to take the name of the older and wealthier partner; it was to be the United States & Co., and not the United States and Texas, or Texas & Co. Texas agreed to become a State in the Union, on the footing of other States, and in this humble condition to merge her nationality. But when Texas made this agree-

ment she was a sovereign and independent power, and it may come one day to be a serious and embarrassing, if not fatal, question, between her and the United States, by what sanction this compact is to be enforced, if enforced at all, and who is to judge of its infractions. May not a *casus fœderis* arise between them, when one party or the other shall declare the league at an end, and insist on settling the difficulty, if necessary, by an appeal to the *ultima ratio*? Already a question has arisen between them, namely, whether New Mexico, as conquered or subdued by the American arms, is a part of the State of Texas, or an independent territory or province, belonging to the United States, which threatens, by anticipation, to disturb the harmony of the new union, and possibly resolve it again into the sovereign unity of which it has been composed. For ourselves, we suppose, that with Texas, the question of her rights and her interests, as against the United States, will always be one of physical ability to maintain her ground. She will insist on her right as an equal to judge of all questions in dispute; she will never forget that she was once a sovereign; that as a sovereign, and while a sovereign, the compact was formed which placed her in union with this republic; and she may be expected to be found very slow to recognize the competency of the Federal Government to dictate to her in matters where her interests, arising under the compact, may seem to clash with those of the opposite party to the league.

In our humble judgment, the proceeding by which Texas was brought into this Union has never been as fully considered, and is not as well understood as it ought to be by our people; and we shall be excused, therefore, for dwelling upon it a moment longer. Annexation—so called—was effected, it must be remembered, by a compact, or league, between sovereign powers, both acting in regard to it, in their national character and capacity. And it is worth remembering—while it is utterly denied that it was competent for our Government to negotiate with another nation at all, or in any form, for such an object as that of amalgamating the two nations, itself and that other, into one—that it was not deemed necessary in this transaction, to pay even the poor respect to the Constitution of following the forms or mode of proceeding prescribed by it, when intercourse is to be had with a foreign

power, and a compact, or treaty, is proposed to be made. In the careful partition of powers under the Constitution, the duty of negotiating and making treaties is assigned to the President, with the advice and consent of two-thirds of the Senate. But in this case, the Congress—not inappropriately, perhaps, considering the novelty of the object—took the matter in hand, and commenced the formal negotiation by a *projet* or proposition, in the shape of a joint resolution, which was passed by a majority in each House, and received the approval and signature of the President. In this proceeding, Congress might be considered as having resolved itself into a convention of delegates, with assumed authority from the people to enter on this extraordinary negotiation. It is idle to think of it as a proceeding of Congress, acting under the Constitution. Here was a compact between two sovereign nations by which they agreed to unite and form one nation out of the two, on certain terms. Can there be any one bold enough to assert that the Constitution authorizes Congress to make such a compact in behalf of the United States? It seems to be thought by some that this particular compact was well enough made through the agency of Congress, because, in this case, Texas, yielding up her nationality, consented to take a position in the new union somewhat below the point of equality, in dignity and power, with the nation to which she joined herself. But the question of authority cannot be affected by the particular terms, or conditions on which a league for incorporating this nation with another may be formed. Had Congress, or had the government, through any or all its functionaries, Constitutional authority on any terms whatever, to melt down and fuse the American nation with another independent nation, and so, out of the amalgam to form a new nation? That is the true question; for the true nature of the transaction was such as we have here stated it. Two independent States, or sovereignties, were incorporated into one by a compact formed between the two while thus independent and sovereign. The uniting of Holland and Belgium, by the treaties of Vienna, was not more an incorporating of two States into one. And if this incorporation between the United States and Texas could be effected on the particular terms of the present compact, it could be effected on other

terms as well. It might have been agreed just as well, that the President of Texas should be President of the new incorporated nation. It was just as competent, so far as the question of authority is concerned, for Congress to have agreed that the sovereignty of Texas, instead of that of the quondam United States, should prevail in the new union. We are speaking of the question of power under the written Constitution. If Congress could incorporate the United States with Texas, it could do the same thing with England or France; and in such a case the sovereignty over the new incorporated kingdom, would doubtless be somewhat differently disposed of. So far as authority is concerned Congress could just as well have undertaken to re-incorporate the States of this Union with the British Empire, on the old terms of colonial dependence.

Now we know, all the while, that this measure must be, as it has been, submitted to and acquiesced in. We cannot probably escape from our new position, if we would. And this is therefore exactly one of those alarming cases to which we have before adverted, where a new and extraordinary power has been usurped by the government, and that usurpation acquiesced in and confirmed, almost from the necessity of the case, by the deliberate voice of the nation, so as in effect to clothe the government with this new power in all time to come—the written Constitution to the contrary notwithstanding—to be employed by it again and again, if it should see any occasion for its exercise. A very important provision this in the unwritten portion of the Constitution of the United States.

Perhaps the most serious, certainly the most immediate and pressing of the evils which could not fail to follow in the train of this high-handed measure, are seen and felt in that series of bold acts, each one another instance of assumed authority, into which this original measure has hurried the government, as if by an inexorable fate, and which it is the main purpose of this article to record and illustrate.

The first of these acts was one to which the government was moved by an apparent necessity, even before Annexation was consummated. This was the employment of the army of the United States by the unauthorized direction of the President, for the defence of Texas against all her enemies, while she was

still a foreign and independent republic. The *projet* of the 23th Congress for Annexation, expressed distinctly the terms and conditions on which the union or incorporation might take effect. Whether these terms and conditions, in the forming of a State Constitution, and its adoption by the people of Texas, should be duly complied with by that republic, in accepting the offer of Annexation, was a matter expressly reserved for the consideration and "final action" of the next Congress ; and it was required that such new Constitution, with the proper evidence of its adoption, should be laid before the 29th Congress, on or before the first day of January, 1846. This "final action" of the 29th Congress, then, a different Congress from that which had passed the original resolutions, was clearly indispensable before Annexation could be consummated. Nor did the President, that we know of, ever entertain or express a different opinion. Texas was still treated as a foreign and independent power. The government of the republic was still maintained, and the President had his *Chargé*, Mr. Donelson, still residing near it. It is true, the Congress of the republic, and her convention of delegates, had given their formal assent to the proposed Annexation ; but no State Constitution had yet been formed, and of course there had been no submission of anything to the 29th Congress for its "final action," when the President deemed it necessary wholly unauthorized by law or Constitution, to send an army into this foreign country for its military protection and defence. Texas was now, the President professed to think, "*so far* a part of the United States as to be entitled from this government to defence and protection." Texas was at that period no more a part of the United States than it was before Annexation had been proposed. It was no more a part of the United States than it was a part of the British Empire. This step was taken, says the President, "upon the earnest appeal both of the Congress and convention of Texas ;" and it "had become necessary, to meet a threatened invasion of Texas by the Mexican forces, for which extensive military preparations had been made." But who had authorized him to defend Texas against her enemies, during the pendency of the negotiations and proceedings in reference to Annexation ? Congress certainly had done no such thing. It made no part of the proposition submitted to that power in regard to An-

nexation, that meanwhile, or at any time before Texas and the United States should actually be incorporated into one nation and people, an alliance offensive and defensive, should exist between the two republics, and the arms of the United States be employed, if necessary or desired, in her defence. And surely, if the enemies of Texas, at any time, while she remained an independent republic, were to be deemed the enemies of the United States, and war was to be made upon them accordingly, it belonged to Congress, and Congress alone, to make that declaration. But that was a question with which it was not thought quite prudent that Congress should be entrusted. Congress might have shrunk from the resolutions of Annexation if they had borne on their face an anticipation of war—especially of a war to be undertaken in behalf of Texas even before she should become an incorporate part of the Union. The President, however, saw this necessity and boldly met it. If Texas had been invaded, as was then apprehended, war of course would have followed in defence of that republic, by the naked act and order of the President. Our army would have been on the soil of a foreign country, doing battle, side by side, with the forces of that country, against its invaders, and all this by command of the President, without any decent pretence or pretext of authority from Congress, or the law or the Constitution !

The President insists, in justification of this proceeding, that, under the circumstances, "it was plainly our *duty* to extend our protection over the citizens and soil of Texas ;" *our duty*—the duty of the United States. But who made the Executive the sole judge of this duty ? Who gave him the right to proceed, on his own mere motion, to do, or cause to be done, whatever he may chance to think it the duty of the country to undertake ? Is he to declare or make war, whenever he may happen to think it the duty of the country to go to war ? In short, is his sense or notion of duty to be in all things his sole constitutional guide in the discharge of his office ?—is his sense of duty, or what he may choose to offer to the country as such, to be the Constitution instead of the written Instrument ?

We have presented this case the more distinctly and at large, half forgotten as we are afraid it is already by the country, because, although Texas was not in



fact invaded pending the proceedings in regard to Annexation, and so, as it happened, there was nothing for our army there to do in her defence, yet, besides that the act of the Executive was not a whit the less reprehensible for that reason, this very act it was, undoubtedly—this act of imperial authority exercised over the army of the United States in moving it beyond the proper limits of the country, and within a foreign jurisdiction—which emboldened the President, probably in the belief that this show of force on his part in Texas had had the effect to turn aside the threatened purpose of invasion from Mexico, to push his experiment still farther, and carry forward his menace of war into the proper possessions of that power, and up to the gates of one of her principal cities. Probably he thought, in his pride and vanity of power, once used with apparent effect, that if he now pressed on, bearing this same front of frowning War, belted and helmeted for ready action, full into the presence and face of Mexico, he might thus secure advantages towards the acquisition of coveted territories, far beyond the limits of any just claim of boundary on our part, which Mexico, frightened from her propriety, might be induced to yield to his imperative and haughty demands! At any rate, it was no very difficult step for the President, having, as commander-in-chief of the army, once thrown the Constitution behind him, to go from the proposed and attempted employment of the military power in defending the proper soil of one foreign nation from invasion, to the invasion himself of the proper possessions of another foreign nation, with as little just pretence of authority or right in the latter case as in the former.

We have heretofore, in this journal, explained and exhibited, in a pretty ample manner, the way in which our war with Mexico was brought on by the act of the President, and with how little of justification or excuse. We shall not repeat what we have before felt it our duty to say on this subject. Our present business is with this proceeding as it affects the Constitution of the country. Nor shall we need to dwell on the subject in this point of view. Everybody knows that the power of war is not lodged with the President by the written Instrument, but with Congress; and that if the President actually *makes* war, whether it is formally declared or not, it is done

without authority. Such an act under our government ought to be deemed the highest crime which any citizen could commit. Treason is not so dangerous and deadly an offence. The offence itself, indeed, is treason of the worst kind, though not within the statutory definition, since it subverts the Constitution and the government, by a single blow. Now we do not hesitate to declare again and again, as we have done before, that, beyond all doubt or cavil, the President is responsible for this war; he brought it on by his own act, or it was brought on by acts done under his orders; he *made* the war. He sent an army to occupy a country, then in the undisturbed possession of Mexico, as it had been since she became a nation, and which she claimed as her own by an undoubted title, *with orders to fight for it*, if Mexico should offer to dispute the possession by force of arms. Mexico did so dispute the possession, and the war was begun. The President we say, therefore, made the war. The army was not marched into the Mexican department of Tamaulipas, and up to the Rio Grande, in the performance of any duty imposed on the Executive by the Constitution or laws. No obligation of office required, or permitted, him to make or direct this hostile movement. It was not the soil of the United States which he was bound to defend. The territory did not *belong* to the United States, and was not in its possession; and if we had acquired a *claim* to it at all, it was one of pretence much more than of right, and whatever it might be, though ever so strong, there was a strong claim of right on the other side, accompanied by actual possession constantly maintained for long years, which would not be yielded to any demand of right on our part, but at the end of a bloody and hopeless defence. This consideration alone—the fact of possession by Mexico, an ancient possession, with an undoubting conviction of clear title—is enough to put at rest forever all attempts to justify this proceeding by the President, on the assumed ground that the territory was ours, and must be defended by our arms, as any and every other part of the American soil. All our ownership of this territory was a naked claim of title, against an adverse possession with a claim of title quite as strongly insisted on as our own; and this was the “American soil” which the President said, in his instructions to

the commander of the army, "must be protected from hostile invasion by Mexico! Mexico was expected to invade her own possessions! and on this absurd pretence, so insulting to an intelligent country, the President would justify his own invasion of those possessions, and his orders to make war for their conquest and subjugation, on the least attempt by Mexico to defend and protect them. If a territory, in dispute between this country and any other, were wholly vacant and unoccupied, who would venture to maintain that the President would have a right, without the direction of Congress, to attempt to take military possession of it, with the moral certainty of bringing on a war? surely, no one. But such an attempt, made under a naked claim of title, in reference to territory in the actual holding, occupation and culture of an adverse party, would, of itself, be an act of war. A demand on the highway, to stand and deliver, with a hand on the throat and a pistol at the breast, would not be more unequivocal. The adverse party has but one alternative—to yield at discretion, or to fight. In either case it is an act of hostility and war on the part of the assailant. But the truth is, this matter is too plain for argument, when the facts are understood; and so would be considered universally, if it were not so difficult for us generally to bring our minds to believe that any President of these United States, in the face of the plain provisions of the Constitution, would dare deliberately to take on himself the authority and responsibility of making war. So, nevertheless, Mr. Polk has done, beyond a possible doubt. So, beyond a doubt, has the written Constitution been subverted, for the time—and who knows but for all time?—and the most delicate and dangerous power in it, been seized and wielded by the Executive as his personal prerogative.

No one, certainly, need be shocked or surprised, after this beginning, if the war should be found to be prosecuted with as complete a disregard of the restraints of the Constitution, in reference to the means employed for carrying it on, as was shown in getting the country into it. If the Executive can make war, we do not know why he should not be permitted—at least he must be expected—to prosecute it after his own independent fashion. What he has actually done has been to organize and employ a species of military

force, which, as a force to be employed in a war of invasion and foreign conquest, is utterly unknown to the Constitution, and forbidden, indeed, by its whole tenor and spirit.

The war, be it remembered, has had, from the beginning, a very marked character, as one of invasion and conquest. It was begun by an invasion of the peaceable homes of the citizens of Mexico, in the Mexican State of Tamaulipas; and from the hour the first blow was struck, it has been waged exclusively on Mexican ground, and has been carried, indeed, far into the interior, and towards the heart of that republic. Not for one moment has it been a defensive war in any aspect or degree. No hostile foot has approached or threatened the proper soil and possessions of the United States. On the part of Mexico it has been wholly defensive. She has had all she could do, and a great deal more than she could do, to defend her own territories, and she has never dreamed of invading the United States, or engaging, in any way, in offensive operations on the land. It is not possible to conceive of a war more distinctly marked in this respect, than this war is.

Being wholly an offensive war on our part, (we use the term, offensive, in its well-understood legal acceptation,) no one, of course, will pretend for a moment that the militia of the country could be employed in it, except by a naked assumption of authority to that effect, in defiance of the plain provisions of the written Constitution. For any purpose of defence in and about a line of boundary between this country and any other, or across that line—the purpose and operation still being, in effect, defensive—militia might be employed. But no such force can be used where the whole object is, as it was in this case, to carry on offensive and aggressive war to the heart of an enemy's country, and where every operation of the war, even from the first act of collision and bloodshed, is remote from the proper soil and possessions of the United States. Nothing can be plainer than that the militia, in the contemplation of the Constitution, is wholly a domestic force. In the first place, in its organization and uses, it is wholly a State force, except when it is handed over to the United States for certain specified objects. It is the home-guard of the States, and their only arm of defence. They are not allowed to have any other. They are expressly prohibited from keeping troops

\* —a regular army—in time of peace, except by consent of Congress, which never has been and never would be granted ; and they cannot engage in war, unless actually invaded, or in imminent danger of invasion. But the militia is their own —and so exclusively their own, that, even when it chances to be employed in the service of the United States, it can have no officers but of their appointment, and can receive no training but under their authority. There is no such thing, and can be no such thing, as the militia of the United States ; there is no general force of this description existing without regard to State lines. Each State has its militia, which is as distinct from the militia of every other State, as the army of England is distinct from the army of France. To secure uniformity and efficiency, Congress is authorized to provide by law, “ for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States ;” but all this is still made expressly subject to the authority of the States in supplying the officers, and giving direction and application to the discipline, and to the government of the force when in actual service.

Nor was it without very express reasons that the militia was so carefully reserved to the States, and the authority for its employment in the service of the General Government limited and restricted in so peculiar a manner. It was a point of great delicacy, and great jealousy on the part of the States. The military power of the Federal Government was, at the time, looked upon with great distrust, and not without some alarm, guarded and limited as it was. And if, in addition to its own appropriate, because necessary, authority, to raise and support armies, and provide a navy, and to make war, that government had also been clothed with a general or superior power over the militia, no one who has made himself at all acquainted with the history of the times, can entertain a doubt that the Constitution would have been promptly rejected by the people. Hamilton’s proposition, in the Convention of 1787, that the whole militia should “ be under the sole and exclusive direction of the United States, the officers of which to be appointed and commissioned by them,” would have met with as little favor as another part of his plan of government, which was that the Chief Exe-

cutive should “ be elected to serve during good behavior.” Even an amendment, to give the appointment of the “ general officers ” to the Federal Government, received no countenance in the Convention.

The occasions on which the militia may be called into the service of this government are very exactly defined, and of course no others are allowed. If the militia is thus called into service, it must be for one or another of these purposes—namely, “ to execute the laws of the Union ;” to “ suppress insurrections ;” or to “ repel invasions.” If employed in that service on any other occasion, or for any other object, it is a palpable usurpation—a usurpation of military power, once thought the most dangerous of all forms of usurpation, and the last crowning act of despotism. Yet this very thing has been done in the prosecution of this wretched war with Mexico. First, the military power is usurped by the Executive, in the making of the war, and this is followed up by employing a kind of force for carrying it on, which is utterly denied to the government, in such a war, by the plainest provisions of the Constitution. The last enterprise, certainly, which was intended to be *encouraged* in this government, was that of engaging in war, and, least of all, in wars of invasion and conquest. The Constitution has very carefully and closely confined the government, in all such wars, to the use of its own regular army, and, no doubt, with the deliberate and wise consideration, that the more difficult it might be found to raise an army for such a purpose, and provide for its support, the better every way. And it is enough to startle the men of the Constitution from their graves, that the country has come, in so short a time, to behold the spectacle of a war of foreign invasion and conquest, as little excusable in its origin and objects as any that could be conceived of, actually prosecuted by the government with a principal reliance, not on the proper army of that government, but on the militia of the States. We behold the spectacle of a successful appeal made to the prompt and unreflecting patriotism, and the military ardor and ambition of the people in the States, stimulated, as they often are, or easily may be, we know not with what hopes of personal distinction or personal profit, who rush forward to place themselves under the command of the national Executive, for service in

a foreign land, and in an aggressive war. It is a case to demonstrate, if ever there was one, that it is no idle apprehension in which wise men have always indulged, in regard to the dangers necessarily attaching to the military power in a republic, and where there is a gallant and patriotic people to respond to its appeals, when we see what has actually been done in the use of this power, and the monstrous lengths of usurpation to which it has been pushed by the present Executive of the United States—the feeblest, out of all comparison, that the country has ever had.

The militia has been mustered into service, in this war, in a way designed to evade the Constitution and escape the responsibility of its violation. By calling for "volunteers" it seems to have been calculated that the public would get the impression that this was a kind of force different from militia, and if not regular United States troops, yet something very like them. But they were militia after all. They were soldiers who might volunteer from the ranks, or body, of the militia in the several States, having their officers created and appointed by the authority of the States, respectively, to which the companies, or corps, of volunteers belonged. They were *mustered* into the service of the United States, not enlisted; and in that service they were commanded by their own officers—company, battalion and field—having their sole authority and commission from the respective States. It is simply absurd to talk of any military corps as United States troops, when the officers in immediate command derive their commission, not from the Government of the United States, but from that of a State. A military officer, commissioned by the Governor of a State, and commanding a corps raised under State authority, is not an officer of the Federal Government, and does not command United States troops. They are State troops, and he is a State officer, and that is all that can be made of them. And they are militia, and nothing but militia. No State has any other troops but militia; and the government of the United States has no authority to employ, for any purpose, any other kind of State troops, if there were any such, but militia. Nothing can be plainer than that the Constitution limits the military power of the Federal Government to the employment, first, of its own army, raised and provided with officers by its own ex-

clusive authority, and next, of militia, (when militia may be employed by it at all,) called into the service from the States. All the volunteers in the present war have been and are militia, and nothing else. They are State troops raised and commissioned by State authority, as militia. Many of the companies and corps have been mustered into service, just as they stood, officers and men, in the ranks of the militia at home.

Nor is the character of this force changed at all from the fact that general officers, bearing State commissions, have not been called into service along with the militia. The Government has seen fit to select, appoint and commission, its own general officers. They are officers in the army of the United States, and so commissioned, and in no respect as officers of militia or of volunteers. Nor is the employment of militia, called volunteers, in the present war, justified or excused by any example of the employment, or proposed employment, of volunteers, in the public service, at any period in our past history. There have been repeated instances of volunteer organization and service. Sometimes they have been troops of the United States, with officers appointed and commissioned, all of them, by Federal authority. These were as much troops of the United States, as those of the line of the regular army. Every soldier was an enrolled or enlisted soldier of the United States. But more frequently, these volunteer forces have been mustered, or proposed to be mustered, into the service of the United States, with their State officers, from the militia; and these were militia, and nothing else, just as the volunteer forces in the present war are militia, and nothing else. The difference in the cases is, that in no instance, until the present, has such a volunteer force as this last, being militia, been employed, or proposed to be employed, by the General Government, for any service or purpose, but "to execute the laws of the Union," to "suppress insurrections," or "to repel invasions;" in no instance, until the present, has such a force, being militia, and nothing else, been called into the service of the United States, to carry forward a war of invasion and conquest in a foreign land.

And the responsibility of this proceeding rests with the President. The conduct and management of the war is in his hands. Congress gave him authority



to accept the services of 50,000 volunteer militia, upon his appeal to it for such a force, and upon the allegation that war had been begun, and "American blood had been shed on American soil." The country must, of course, be defended, and nothing is better, or more appropriate, than militia, with which to drive invaders from its soil. We certainly could have wished, that, while Congress was granting the most liberal supplies of men and money, at the demand of the President, the truth should have been insisted on, instead of echoing, though by a kind of compulsion, a false allegation, and some security taken, which might easily have been done, that the means and forces placed at his command, should not be improperly and unconstitutionally applied and employed. Still the responsibility rests on him. He has taken upon himself to prosecute a foreign war, in a foreign land, and for purposes of conquest, and to employ the militia of the country in this service. And so far as his example can go, and at any rate while power remains in his hands, the Constitutional restriction on the employment of militia is abrogated, and a new unwritten provision substituted, to the effect that militia may be employed in war, not only to repel invasion, but to make invasion, and prosecute foreign conquests.

The next usurpation in order, in the conduct of this war, was that by which the President has claimed the right in all cases of territorial conquest, to be deemed himself the conqueror, and, by his own unaided authority, to establish and administer governments over the conquered countries. On this particular topic, however, we shall not now add anything, but content ourselves with referring the reader back to an article in the March number of this Review,\* where the subject has been fully discussed and exposed. A reference to that article will show how flagrant and bold this usurpation has been, and a little reflection will serve to convince every candid mind, that if the Constitution is now to be taken with this notable amendment, a vast progressive movement has indeed been made, all in the name of Democracy, towards despotic power.

But the President has lately gone a step further, in his usurpations, and performed the crowning act of all. Proceeding on the same beautiful idea, of

easy assurance, that he, by virtue of his office, is to be deemed, personally, the conqueror of all provinces and places, which may submit to the power of the American arms, he has gone so far as to establish a regular system for the collection of duties on imports, under a regular tariff, in all the ports and places of Mexico, of which the army has taken military possession. "It is the right of the conqueror (he says) to levy contributions upon the enemy, in their seaports, towns or provinces, which may be in his military possession by conquest, and to apply the same to defray the expenses of the war. The conqueror possesses the right also to establish a temporary military government over such seaports, towns or provinces," &c. And therefore, he, the President, being the conqueror, enacts a tariff of duties on all goods and merchandise admitted into these ports, and which is invited to come there from all nations, the United States included, appoints his collectors and corps of custom-house officers, makes his military chest his independent treasury—independent indeed—and directs that all collections be paid into it, from which the money is to be drawn, as he shall personally prescribe or allow, for carrying forward his war of invasion and conquest!

The President finds it convenient to see no distinction between the mere military occupation of a position, or place, in an enemy's country, in time of war, and the complete possession of a province, or town, held under conquest, with the full right and actual exercise of sovereignty and civil jurisdiction. As little does he distinguish between the rights and duties of a commander in the field as a conqueror, and the rights and duties of a sovereign who, by right of conquest, takes possession of a province, or town, subdued by his arms, and receives the submission of its inhabitants as the subjects of his rightful government. A military commander in the field is the master, under the law martial, of the post or place he occupies, as a conqueror. It is his camp, for the time being, and the law of the camp prevails. It may embrace a whole town or city. But his authority, though arbitrary and summary in its tone and character, is not unlimited. It is restricted by the military law under which he holds his commission; and the military law of the

United States is mainly a written code, carefully digested, and regularly enacted by Congress. Where it is manifestly defective on applying it in practice, no doubt the unwritten martial law may be resorted to. But no authority can be exercised under the name of martial law, except such as has for its object, or keeps prominently in view, the principal, and indeed only design with which martial law is established, or tolerated—namely, the security and preservation of the camp and the army. This authority has the actual commander in the field, or in camp, acting under the orders of his superior officer, if he have any. The President is commander-in-chief of the army, and a commander in the field, or in camp, acts under his general orders; but if he were actually himself in the field, or in camp, he could exercise no military authority over or about the camp, which could not equally be exercised by any other commander. An orderly-sergeant, if the eldest officer present, and in command, would have the same authority; and he could not have more if he were a field-marshal. As commander-in-chief of the army, the President's authority is purely military, whether personally in the field or out of it, and it is as much restricted by the military law, as that of any other commander. Just so much authority then—just so much government—as any actual commander, in possession of a post or place in an enemy's country, may lawfully exercise, the President, as commander-in-chief, may exercise, or cause to be exercised under his orders. And beyond this he cannot go, except by leaving the Constitution behind him.

The limited nature of this military authority, or government, we have indicated already. It is the government of a camp, and has for its object the regulation and security of the camp. Its proper subjects are soldiers, or the inmates of a camp. It may extend its jurisdiction, as in a city, according as the necessity of the case shall demand; that is to say, the camp may be enlarged so as to embrace all whom it may be necessary to bring within military supervision and control, in order to the proper government and security of the camp. But it is evident that a "military government," in the President's view, is something very different from this. Witness his orders and the disgraceful proceedings under them in regard to New Mexico and Cal-

fornia. All the functions of civil government were assumed in those provinces—complete civil jurisdiction—and exercised as far as the new functionaries had the ability to establish their power. We have lately heard of sanguinary executions in one of them, upon judicial convictions, for sedition or high treason! Indeed the avowed purpose was to consider and treat these provinces as conquered countries, where entire submission to the conquering power, as the sovereign, was exacted. And, undoubtedly, in such a case, it is not only the right, but the duty, of the new sovereign, to establish his government, and make it adequate to the protection and control of his new subjects, so long as his authority shall last. This is what the President is pleased to denominate a "military government." It is only military, as it is in military hands. It is a civil government, with as ample powers, if it see fit to exercise them, as any government in the world. But everybody must know, who knows even the alphabet of the Constitution, that Congress, and Congress alone, has authority to set up such a government as this in any territory, province, or town, belonging to the United States; and a conquered territory, province or town, if really taken possession of to hold as an *acquiescent* of war, belongs to the United States, if to anybody. Certainly it does not belong to the President, as he seems to suppose, any more than it does to any actual commander under whom the conquest is made. It belongs to the sovereign—and the President has not yet been acknowledged sovereign in this country. He makes himself such, however, as far as he can—a military sovereign, superseding the civil power—when he assumes the sole right of government over countries, or places, subdued by the American arms. In our judgment, it is conclusive on the President, and the whole military power, if Congress has made no express provision for taking formal possession of places that might be conquered by our arms, and for governing them, as the rightful sovereign, that Congress does not intend that the war shall be made a war of conquest at all. And hence, in such a case, the extent of his duty and power, in prosecuting the war offensively, supposing an offensive war allowable at all on his mere motion, is to conquer the armies of the enemy in the field, capture his fortified places and strongholds, with as much

public spoil as can be found in them, and entering his chief cities, and his capital, perhaps, convert them into convenient quarters, and camping grounds, for the conquering army, and of course, laying them, for the time, under martial law. Here his power of "military government" would begin and end. But the President has little relish for such moderate notions as these. He began the war for conquest, and never having dared to ask Congress to give a direct sanction to any such project, he has found, or thought himself obliged to do everything, so far as this object was concerned, in his own way, and by his own usurped authority.

It is manifest that, in establishing a commercial code, and a tariff, for the seaports of Mexico, captured and occupied by our military forces, the President has acted, not as a mere military commander, but as a political sovereign. He chooses to regard these seaports, not merely as places under military occupation by our troops, where they have their garrison and camp for the time, with all needful authority in the commander, under the military law, for the government and preservation of his army and camp, and for internal and external police, but as places held by him, the President, as both conqueror and sovereign, and subject to his exclusive and undisputed political authority in all things, or so far as he may see fit to exercise it. Under this authority, and treating the sea-ports as his own, for all purposes of sovereign control and government, he proceeds to the exercise of civil and sovereign power in one of its most important functions, by establishing regulations for the trade of all nations with those ports, enacting a tariff of duties to be paid on all merchandise and produce entered there, and thus raising a revenue for the supply of his exchequer. They are no longer Mexican ports, blockaded by our Navy, and shut up from the trade of the world ; but they are American, or independent ports, under the sovereignty of the President, and open to the trade of the world. Mexico is to be supplied through them, by a grand system of illicit commerce and smuggling, encouraged and promoted by the new sovereign of the independent ports, who is thus to secure the benefits of large importations, and an ample revenue. And that these are independent ports, and not ports of the United States, any more than they are

Mexican ports, is plain enough from the fact that cargoes entering them from the United States are as much subject to duty as cargoes from England or France. The trade to them from New Orleans, or New York, is a foreign trade and not a coasting trade, and pays duties accordingly. If they were ports of the United States, this would of course be a coasting-trade ; and, on the other hand, if they were Mexican ports, citizens of the United States, as subjects of one of the belligerent powers, could not trade with them at all, without being liable to the severest penalties—unless, indeed, by the special permission of the government ; not, certainly, by the permission of the President. What a spectacle is here presented to the country ? The President of the United States assuming the sovereignty over the ports of the public enemy, occupied by American troops, and there actually levying duties on the trade of American citizens, which he invites thither, as well as the trade of all other countries, and putting the collections into his own independent treasury ! This, too, being in fact a trade, and so expressly intended, with Mexico, carried on through these ports, and between them and the interior, by illicit means—a trade, whether direct or indirect, in which American citizens are utterly forbidden to engage, while the two countries are at war, without special permission from the competent authorities of their government !

And the President deliberately proposes, by these means, to attain an *independent* revenue, for the expenses of the war. The plan was expected to be very productive, and to yield some millions. The collections made under military supervision, whatever they are, go directly to the military chest. They are to be accounted for by the collectors, says an official rescript, "not to the treasury, but to the Secretaries of the war, and the navy, respectively." So far as these collections may go, the President is to maintain a war independently of the government. He is not to depend on money drawn from the treasury of the United States, and which could only be done "in pursuance of appropriations made by law," but he is to go to his own treasury, supplied by an independent revenue, derived from a regular system of taxation, or imposts, levied and collected under his personal and sovereign authority, in places beyond the jurisdiction of the United States ! Is it possible for arro-

gance and despotism to go further than this ?

And then the country is told that this is nothing but levying "military contributions" on the enemy. If this were so—and it is hardly better than an insult to an intelligent people to set up such a pretence—yet if this were so, how comes it that the administration is now found avowing an intention of levying contributions on the enemy, after its repeated proclamation, and declarations to that enemy, that private property should be respected, and nothing demanded or taken without making just and full compensation ? Protection and full security to the persons and property of the peaceable inhabitants of conquered towns and provinces, has come to be the recognized doctrine and declared practice of modern civilized nations, not to be departed from, except in very special cases, which certainly do not exist in this war. Are the United States to suffer the disgrace of being the first, in recent times, to set an example to the contrary ? As for contributions levied on a conquered country, they are never allowed by the modern usage and law of nations, but as a mild substitute for pillage, or the confiscation of property. Contributions are demanded and received by way of relief and redemption from these severer measures, and of course are never resorted to, but when otherwise such harsh proceedings as pillage or confiscation would be justified, either by way of special punishment, or on account of some urgent, temporary necessity. But what is there in common between "military contributions" and this notable plan of the President's for raising an independent and permanent revenue, by commercial taxation, for the support and prosecution of the war ? Taxation is a measure of government, and an act of sovereignty. It is something very different from pillage, or a forced contribution, received as a relief from pillage. This act when permitted at all, is an act of war, by military command, to meet some particular necessity or exigency of war, and is temporary in its purpose and action. It has its direct operation on a present enemy, and is commonly exhausted in a single act. But how absurd and how pitiful, to talk of the proceeding we are now considering, as one of "military contribution." This is a system of commercial regulation and taxation, as regular, and nearly as elaborate, as that which controls com-

merce, and supplies revenue, in the whole United States—a system prevailing, or designed to prevail and govern in all the principal sea-ports, through which a great country, of eight or ten millions of people, receives its foreign supplies, and which are held as places conquered in war and subject to the political sovereignty of the conqueror—a system of taxation and revenue, designed to be at least as permanent as the war, falling on whomsoever it concerns, importer or consumer, citizen or stranger, friend or enemy, and such a system as none but a regular government, in the exercise of full sovereignty, could enact and execute. And the government which does this, and exercises this sovereignty, is—the President of the United States !

But we must bring this article to a close. Our object has been to awaken the attention of the country, if possible, to the manner in which the original written Constitution is becoming rapidly obscured and subverted, by the assumption of new and extraordinary powers, either quietly submitted to, or only very feebly rebuked, and so that, in effect, an essentially new Constitution is practically taking the place of the original instrument, which, though partly unwritten, is likely to become just as potent and authoritative, and just as binding on the people, as if these new features had been given to it, by regular amendments adopted according to the prescribed and approved mode of making amendments. To make this matter as plain and as comprehensible as possible, and show in one view, how bravely we are going on in this business, and what kind of a Constitution is growing up to our hand, we shall conclude this article by drawing out in order, and in the form of regular amendments to the text of the original instrument, the provisions proper to cover those new powers which, as we have shown, have lately been assumed, or usurped and exercised by the government at Washington. As written amendments, they might stand somewhat in this form :

I. Congress shall have power to incorporate the United States with any other people or country, on such terms and conditions as may be agreed on.

II. The President shall have authority to employ the army of the United States, in the defence of any foreign country, threatened with invasion, at his discretion.

III. The President shall have authority



to make war on any foreign nation by invading its possessions; provided only that this be done under pretext of some claim of title to those possessions.

IV. The Militia of the States, called into service as volunteers, may be employed by the President in prosecuting wars of invasion and foreign conquest.

V. The President shall have authority to govern, in complete sovereignty, any territory, province or place, taken and occupied by the military forces of the United States, and in such manner as he may see fit.

VI. In any port or place, taken and oc-

cupied by the forces of the United States, the President may establish commercial regulations, and a tariff of duties on imports, for the purpose of raising an independent revenue, to be used by him for military purposes, in his sole discretion, and for which he shall not be held to any accountability.

These provisions, thus brought into juxtaposition, and set down in order, may serve to show what a prodigious advance "Progressive Democracy" has made, and is likely to make, in giving new features to the Constitution, and especially in giving a new and fearful import and significance to Executive power.

## UNPUBLISHED POEMS

BY JAMES STAUNTON BABCOCK.

The following poems are by a person deceased, with whom we were intimate—a gentleman of rare mind and attainments, and a singularly simple and earnest spirit. The qualities of his poems are peculiar. They are built somewhat upon antique models, and seem also to have been affected in a measure by the author's German studies; but their eminent simplicity and truthfulness will command attention in an age whose poetry, like its social morality, is growing to be artificial, shallow, and false in sentiment. "Numa and Egeria," and "The Road-Song of Earth's Travellers," published in the Review some months ago, were by the same author, who was then living. Mr. Babcock graduated at Yale College in 1840; he died at his home, Coventry, Connecticut, in April of the present year.—ED. AM. REVIEW.

### ODE TO SLEEP.

"Ἔν' δδύνας ἀδάης, Ἔν' δ' ἀλγέων,  
εὐαῆς ἡμῖν ἔλθοις  
εὐαίων, εὐαίων, ἀναξ· x. τ. λ.

SOPH. PHILOCT., 827.

SPIRIT mild of mystic slumber,  
Now with wizard spell lay by,  
Galling cares and loads that cumber,  
Soothing sense and sealing eye.

Come in blue and starry mantle,  
Wave thy downy-feathered wing,  
Wave with touch all soft and gentle,  
Dewy o'er each living thing—

Brains with thought in hot toil throbbing,  
Lids by light long filled and pained,  
Hearts o'ercome for joy or sobbing,  
Nerves in ease or toil o'erstrained.

Come with lull of brooklets flowing,  
Lonely break of distant seas,  
Rain-drops, wind, or late herds lowing,  
Lisping leaves or humming bees.

Come with scent of piny highlands,  
Or palm grove of spicy zone;  
Come with breath of summer islands,  
Whence the evening winds have blown.

Come with raven hair rich braiden,  
From the moonshine's watery beams—  
Hush my couch, sky-hovering maiden  
Sing me all thy happiest dreams.

Dreams through cloudy gateways fading,  
To a high and beauteous clime—  
Dazzling vistas faint foreshading,  
Scenes beyond the scenes of time.

For in thy sweet hand are given  
All the treasures of the night—  
Keys that ope the doors of heaven  
On the wearied, earth-worn sight.

Come, Eve's bed with bright flowers  
wreathing,  
While thick dusk the East-land fills,  
Stay till sweet Morn's breath o'erbreath-  
ing  
Wake to life the warbling hills.

From the Orient, tireless rover,  
Dark behind the shadowed sun,  
Thou long realms hast wandered over,  
And their daily works are done.

Caravans in deserts tenting,  
Men in cot or bustling town,  
Prayerless, or the past repenting,  
Vexed or calm have laid them down.

Thou hast walked the princely palace,  
Feast, and dance, and bridal-train;  
Sweetened Sorrow's bitter chalice;  
Smoothed the bed for limbs of pain;

Stilled the feet in silken chamber;  
Won fair children from their play,  
Birds that wing, or beasts that clamber  
Air or steep as free as they.

Thou hast roamed o'er savage ridges,  
Where great streams their wells inurn;  
Listening, paced earth's utmost edges,  
Where no fires on hearth-stones burn.

Blessings thine reach all God's creatures,  
High or humble, wild or tame;  
Shiftless Fortune changes features,  
Thou, sweet friend, art still the same.

Dove of Peace, pure virtue serving,  
Bride unwooded to sinless heart,  
Ne'er may bosom undeserving  
Buy with wealth, or win by art.

#### MARY.

SWEET, simple tenderness of tone,  
That dearest English name doth hold,  
Bringing rich peaceful feelings flown  
And fair young fancies fresh from old,  
Like flocks to the heart's evening fold.

Now low and lulling steals the sound,  
Like summer brooklet's busy trill,  
Or waters warbling under ground  
When fields in slumbering noon are still,  
And peace sweet nature's heart doth fill.

Now soft the gush as falling snow,  
Or shower where rainy April shines,  
Or small birds' chaunt, which faint winds blow  
At sundown through a ridge of pines,  
And earth with heaven in one combines.

A type of loving earnestness,  
Of gentle soul and faithful eyes,  
And beauty born to win and bless,  
Within that pensive music lies,  
That tells the heart its sympathies.

A pledge of sinlessness and youth—  
An earthly form that whispers heaven,  
In artless looks and virgin truth,  
In all the grace to woman given—  
To draw us whence our sin hath driven.

A glimpse of one the heart would strain  
To its fond self till self it grew—  
A face so full to sooth all pain,  
To look each greeting or adieu,  
And sun life's home its sojourn through.

These symbols dear are in thy name—  
Thyself the substance all and more,  
Which seeing who our choice could blame?  
That name and self in heart we store,  
A prize to love and ponder o'er.

#### TO A GROUP OF CHILDREN.

SMALL men and women blossoming,  
Types of a golden age,  
Of Heaven's first children in their spring,  
And Eden's heritage.

Ye seem new flown from some bright sphere,  
On earth a while to play;  
I hark your airy tones, and fear,  
Sudden ye soar away.

Yet human shapes, so fair, so young,  
Sweet Grace untrained of art,  
God's language fills each warbling tongue,  
His smile each face and heart.

And smiles on all your bright hearts shed,  
And love they every one.  
There doubt no cold distrust hath bred,  
Nor dimmed Hope's morning sun.

Ye've learned not yet 'tis all unwise,  
Your whole sweet selves to show;  
Untaught that prudence is disguise,  
Ye tell all truth ye know.

Pure ones, your feelings all unfeigned,  
Your souls untouched by time,  
Ye keep first innocence unstained,  
First simple faith sublime.

Such once the holy Saviour blessed,  
For such in heaven he knew;  
And they are greatest, wisest, best,  
Who most resemble you.

I fain would take you to my heart,  
With full and strong caress,  
So life's dry springs one gush might start,  
Of former blessedness.

Ah go, sweet forms, like sunbeams bright,  
Ye've crossed my pathway o'er!  
My heart shall treasure long that light  
Mine eyes will meet no more.

## HON. GEORGE EVANS.

GREAT abilities, and a long career of useful public service, do not always ensure extended or general celebrity. Public labors, demanding patient investigation, elaborate research, careful analysis, and great power of generalization, are not of the class which win immediate or wide renown. Such labors oftentimes produce no present or early effect. The results are contingent and remote; consequently the magnitude and importance of effects are overlooked. One of the most remarkable instances of great intellectual endowments, large and varied acquirements, long experience in the councils of the nation, public services highly appreciated, and universally acknowledged at Washington, without creating a corresponding national reputation, is that of *George Evans*, of Maine.

As a statesman of profound wisdom and forecast, a legislator fitted for all the practical purposes of conducting the government, Mr. Evans has rarely had his equal in Congress. And yet, there are men in the nation, of inferior talents, and less experience in public affairs, who are better known, and attract more of public notice than he does. The reason of this is obvious. The qualities of Mr. Evans' mind are all solid and useful; there is nothing showy or ornamental about him. Although a very effective and fluent debater, with a fine elocution, his speeches are more distinguished by power of argument, close logical demonstration, and appositeness of illustration, than the graces of oratory, or the decorations of a luxuriant imagination. His style is chaste and severe; with great command of language, his knowledge of its weight and value is perfect; thus rendering precision and perspicuity the great characteristics of his argumentative efforts. On all questions relating to political economy and the financial concerns of the country, Mr. Evans is probably better informed than any man now in public life.

In the great tariff discussion of 1846, in the Senate, Mr. Webster, after referring to what he termed "the incomparable speech" of Mr. Evans, said—

"And now, Mr. President, since my attention has been thus called to that speech, and since the honorable member has re-

minded us that the period of his service within these walls is about to expire, I take this occasion, even in the Senate, and in his own presence, to say, that his retirement will be a serious loss to this government and this country. He has been sixteen or eighteen years in the public service. He has devoted himself especially to studying and comprehending the revenue and finances of the country; and he understands that subject as well as any gentleman connected with the government, since the days of Crawford and Gallatin. Nay, as well as either of those gentlemen ever understood it. I hope he may yet be, I am glad to know that he will be, with us one session more; that we may have the benefit of his advice and assistance in that financial crisis which, in my judgment, is sure to arise if this war continues, and this bill should pass. And I can only say, that retire when he will, he will carry with him the good wishes of every member of this body; the general esteem and regard of the country; and" (placing his hand upon his heart, and bowing to Mr. Evans) "the cordial attachment of his friends, political and personal."

This exalted encomium was concurred in by the most discriminating men on both sides of the Senate; many of whom have taken occasion to speak of his labors in equally flattering terms. Among them may be mentioned Messrs. Calhoun, Woodbury, Cass, McDuffie, and Sevier.

With these general observations we proceed to give a brief sketch of his public life.

Mr. Evans was born January 12, 1797. He graduated at Bowdoin College in 1815; and after a thorough preparation in the study of law, commenced its practice at Gardiner, Maine, in 1818. He soon assumed a commanding position in the profession; and the highest legal eminence was within his reach, when his fitness for the business of legislation was discovered by his friends; and, at the age of twenty-eight, he was returned to the House of Representatives of Maine. He was continued in the legislature for four successive sessions. The last year he was Speaker of the House; and in that responsible position so acquitted himself as to command the unqualified approbation of the body over which he

presided. In July, 1829, he was elected a member of the House of Representatives in the Congress of the United States, where he remained twelve years, when he was transferred to the Senate. He was then a member elect of the House, having been elected to that body seven times successively.

This steady devotion of his district is without a parallel in the State of Maine; no other person ever having served more than eight years in the House of Representatives, from that State.

A distinguished gentleman, who began his career in Congress with Mr. Evans, and served with him some half a dozen sessions, writes to us as follows:—

"Evans began his career in Congress with General Jackson's first presidential term: he came to Washington with a high reputation, so far as that reputation could be given to him by the members from Massachusetts and Maine; and with a very high anticipation on the part of intimate friends at home, of the standing he would acquire and maintain in Congress; and I do not know the public man who has better justified the estimate of partial friends. There have been no ebbs and flows in the public opinion of his talents; no doubts or questions in the minds of any persons who knew him, whether or not he really deserved the reputation he had acquired; but a settled conviction, not only that he was entitled to the standing he had gained, but, if he should be tried, would be found equal to the duties of any station in the government. I know no public man (except Webster) who has always so fully come up to the public expectations; indeed, I think, on all important questions, he has exceeded even the high anticipations of those who knew him. To my knowledge, during his long Congressional career he has never committed a blunder or made a speech which has led anybody to say he was not the man they took him to be. So far from it, I think his most able and finished displays have left the impression of a power, and capacity, and resources for much greater things; and this impression has been justified by the successive exhibitions of his talents, both in the House and Senate.

"His first speech in the House was in opposition to the bill that had been reported, to distribute, among the officers and crew who destroyed the frigate *Philadelphia* in the harbor of Tripoli, a large sum of money. The bill was founded upon the idea that the case was embraced within the principles of the prize laws, and it was supported by some of the leading men in the House. Mr. Everett, of Massachusetts, then a member of the House, had prepared

a very eloquent speech in support of it. In the order of the debate he followed Evans, and it was of course expected that he would make some answer to the argument which had been made against it. After a vain effort to do so, he confessed he was unable to answer the objections which had been waged by the gentleman from Maine, without time to consider them; and then went on to deliver the splendid speech he had prepared. The bill was lost. Mr. Evans has been for several years a leading member on all financial questions. No man in either house, and no Secretary of the Treasury, unless it be Alexander Hamilton, has shown more ability on the subject of the finances than George Evans."

This is no partial estimate of the character and services of Mr. Evans; but the deliberate, unbiassed opinion of a keen and sagacious observer of men and things.

Mr. Evans made his first speech on the tariff in 1832; and from that time forth he took a leading part in the discussions on all important questions of national policy. He has not done justice to himself in omitting so frequently the preparation of his speeches for the press. This has been in consequence of his early diffidence in his own powers, and a strong indisposition to any public display.

We remember a speech of his in 1837, which produced a profound sensation at the time, but of which there is only a very imperfect report on record. Mr. John Q. Adams, whose abstract notions of right, and the propriety of asserting them, were never modified by any regard to circumstances of time or place, inquired of the Speaker whether it would be in order to present a petition from a slave. It was represented that he had presented, or offered to present such a petition; and the House was immediately thrown into a state of great excitement. Divers resolutions were offered to censure and expel him; Mr. Evans defended Mr. Adams very zealously throughout the controversy, and finally put an end to the matter in a speech of great power and effect.

The discussion ran on two or three days; being conducted by the Southern men with much denunciation and violence, and by Mr. Adams, in his usual tone of sarcasm, bitterness, and defiance. On the third day, after Mr. Patton of Virginia had made a furious assault upon Mr. Adams, Mr. Evans obtained the floor, and in a speech of mingled argu-



ment and ridicule, gave the subject such a blow that the House never resumed its consideration.

During the latter part of his service in the House, Mr. Evans was held in very high estimation as a man of sound judgment and great address as a parliamentary tactician. In the memorable controversy in 1839, which resulted in the exclusion from the House of Representatives of the regularly elected members from New Jersey, he acted a prominent part; and if his advice had governed the action of the Whigs, the result would have been different. Mr. Wise assumed the management of the business on the part of the Whigs, but he was no match for the practised skill of his colleague, Gen. Dromgoole.

The House was very nicely balanced on the question of admission, and Mr. Evans, foreseeing the probability of a tie, with no speaker to give a casting vote, suggested that the Democrats should make the affirmative proposition. The result testified to the sagacity of Mr. Evans. Mr. Dromgoole entrapped Mr. Wise into moving the admission of the members; and the motion failed by a tie vote. If the initiative had been taken by the Democrats, as it would have been, under the advice of Mr. Evans, the members from New Jersey would have obtained the seats to which they were entitled.

Mr. Evans was placed at the head of the Finance Committee of the Senate, immediately upon entering that body. Here his eminent abilities as a legislator were fully displayed. All the important duties of this committee were devolved upon him. And at this time the exigencies of the government and the relations of parties were such as to demand great forecast, a thorough knowledge of the subject of finance, and consummate tact and skill in leading the majority of the Senate. The position of the Whig party in Congress was one of great difficulty and delicacy throughout the term of Mr. Tyler's administration. During the first two years the Whigs had a large majority in both branches of Congress, and of course were responsible for the conduct of the government. Mr. Van Buren left, as a legacy to his successor, a large and rapidly accumulating debt, a revenue totally inadequate to the necessities of the government, and numerous unsettled and embarrassing questions, both internal and external.

From the time of the accession of Mr. Tyler to the duties of Executive magistrate of the nation, there was never a good understanding between him and the party which had placed him in power.

There were causes of estrangement between them, hardly necessary to be elucidated here, but which were operative before the commencement of the called session of Congress, and which produced an open rupture before that session came to an end. The ordinary and natural difficulties incident to a change in the policy of the government were thus increased and exasperated.

In the campaign of 1840, the Whigs had promised immediate relief to the people from the financial distresses which had afflicted the country for the antecedent three or four years. Some of the measures from which this relief was anticipated, were arrested by Mr. Tyler, hence the influence of the beneficent policy of the Whigs was only partially experienced by the country. The people had been taught to expect much from legislation; and as no immediate beneficial results were experienced, the disappointment was great, and loudly expressed.

The consequences of the rupture with Mr. Tyler were seen over the country in the popular elections; and States, one after another, that had been almost uniformly Whig, wheeled into the Democratic line. All these things conspired to enhance the embarrassments of the Whigs in Congress; and the eyes of their friends from Maine to Louisiana, were turned in deep solicitude to Washington.

In the Senate the opposition had an array of strength embracing the ablest and most experienced men of the Democratic party. Messrs. Wright, Calhoun, Benton, Woodbury, and Buchanan, all smarting under their recent defeat, and opposed in principle to the policy of the Whigs, resisted every measure, step by step, with great power of argument and eloquence. During the long session of 1841-2, the labors of the Senate respecting revenue loans, and the arrangement of the new tariff, fell upon Mr. Evans. He perfected all these measures in the committee-room, and successfully defended them in the Senate, against the whole force of the opposition. The majority, entertaining profound respect for his judgment, and knowing his abilities, confided the management of all the business belonging to the Finance Committee to

his discretion; and most wisely and efficiently did he discharge the duty.

The writer of this sketch was placed in such circumstances as to be able to appreciate the zeal, and labor, and care, bestowed by Mr. Evans in perfecting the tariff of 1842. The vast burden of that work fell on his shoulders alone. Upon him devolved the task of familiarizing the Senate with its structure and operation. He sacrificed every personal consideration to reconcile conflicting interests; to harmonize a measure for the good of the whole country, and to meet the exigencies of that great crisis. He labored earnestly, patriotically, and successfully.

Perhaps no portion of Mr. Evans' public life has commanded more admiration than that during which this tariff debate took place. It was a period of great public interest and excitement. The success of the principal measures of the party depended upon the establishment of a wise system of imposts. Mr. Evans foresaw the beneficial fruits of the tariff he had framed; and to consummate its success, he brought all the energies of his mind, and the rich treasures of his experience and knowledge to bear upon the discussion. As has been said, he bore the whole burden of the contest, and met and refuted all the free-trade arguments of the greatest and ablest in the opposition. Messrs. Wright, Calhoun, and Benton, particularly distinguished themselves by determined opposition to the principles of the bill; while its details were examined and scrutinized with great power of analysis by Messrs. Woodbury and Buchanan. But Mr. Evans was fully equal to all the demands made upon his knowledge and experience as a political economist and statesman. The readiness and power with which he repelled the assaults of these distinguished opponents of the measure, and illustrated the national advantages to be derived from its adoption, will be long remembered by those who had the privilege to be present at the discussion.

In March, 1842, Mr. Evans made an elaborate and instructive speech upon the resolutions of Mr. Clay, relating to the revenue and expenditures of the government, and the necessity of augmented duties upon imports. It was a subject that had long engaged the attention of Mr. Evans, and he brought to its discussion a mind thoroughly informed upon all branches of political economy. The speech was regarded as one of the ablest

of the session. Mr. Clay himself, in a second speech on the resolutions, after eulogizing in glowing terms, the arguments that had been made on the same side, remarked, that he hoped he might, without any unjust discrimination, particularize those of his friend near him, (Mr. Evans) the chairman of the Finance Committee, whose able speech on the present occasion, went to demonstrate the correctness of the opinion, expressed in advance by Mr. C., that, if elevated to that high and responsible position, he would prove himself fully equal to its duties, and would discharge them in a manner conducive to his own honor and the advantage of the country." As further evidence of the estimation in which Mr. Evans is held by Mr. Clay, it may be stated that, when he was inquired of why he declined to be placed at the head of the Finance Committee, and insisted upon the appointment of Mr. Evans, his reply was, "Sir, Evans knows more about the tariff than any public man in the United States."

We are desirous to select from the speech upon Mr. Clay's resolution, some paragraphs as specimens of the terse and pregnant style of Mr. Evans. We have turned over its pages with that view, but really we cannot tell where to begin or where to leave off. The style is peculiar. You cannot detach any portion of the speech, and have it complete, or scarcely intelligible. As a whole, it is perfect in argument and illustration. But the parts are so dependent, one upon another, that it is hardly possible to make a selection that shall give the reader an adequate idea of the beauty, simplicity, and power of the effort. His style has been likened by one of our most accomplished literary men to that of Macaulay. Undoubtedly there is some resemblance; but Mr. Evans has the advantage in point of vigor and condensation.

Towards the close of the speech referred to, Mr. Evans, after insisting upon the necessity of immediately replenishing the treasury, proceeded as follows:—

"And now, sir, allow me further to state what, in my judgment, Congress is imperiously called upon to do, and when to do it. And our first duty, undeniably, is to provide for the immediate and pressing wants of the Treasury, and to save our public faith and credit. The government is, at this moment, as everybody knows, under protest. Liabilities are daily falling

due without the means to extinguish them. We must have money, if we would not suffer further disgrace, and have it forthwith. The case does not admit of delay. We ought, therefore, instantly to pass a loan bill in such form as to be efficient and available. This will enable us to redeem all the notes falling due, and give to the treasury aid for its ordinary operations; and, in the second place, to secure a successful and favorable negotiation of any amount authorized to be borrowed, we must follow, as speedily as possible, with a revenue bill, so framed as to ensure adequate revenue for the support of the government and the payment of the interest of the public debt, and for its final redemption. Without this, the fate of the loan may be doubtful, or the terms onerous. If we would restore and preserve our credit, we must show to capitalists, and to the world, that we are not living beyond our income; that we are determined no longer to borrow money for our daily expenses; that our resources are abundant for our wants. If this be done, we may expect a speedy and a favorable termination to the negotiations for the loan we may authorize. Both these bills ought to go out together, or in quick succession; both ought to pass within twenty days; and, if they should, what a new aspect would be given to our public credit, and new hopes, and encouragement, and confidence to the people of this country. But, sir, there is another measure, indispensable to the success of your revenue laws, and to both the measures I have adverted to, without which, it is much to be feared, all other measures will prove inadequate—I mean the restoration of a sound currency to the country. Without this, business cannot be resuscitated—trade must languish—commerce decline—and, whatever your scale of duties may be, revenue must diminish. If the state of the currency and of exchanges is to continue so deranged and disordered, necessarily our revenue must largely feel the effects of it; and hence, to the success of your revenue laws, I regard a restoration of a good currency indispensable. With conciliating dispositions, and wise, and temperate, and patriotic counsels, all this may be accomplished within sixty days; and what a shout of joy would not burst out from the hearts of this people, if such could be the result of our labors. The next object which I think demands the attention of Congress, is to provide and push vigorously our national defences. These, however important and indispensable they are, and lowering as may be the prospect of our foreign affairs, must, almost of necessity, be postponed to the other measures I have designated. Until public credit is restored, and a sure and adequate supply of revenue be secur-

ed, any attempt to push forward these costly structures of defence and protection must only end in still deeper embarrassment, and will finally prove unavailing. We must count the cost, and furnish the means, before we undertake that liberal expenditure for these objects which the interest and honor of the country undoubtedly demand. The last object which I would suggest as deserving our attention, at this time, is the retrenchment and reform in all branches of the public service, upon which so much has been said, and upon which such stress is laid. Some gentlemen, in my judgment, give undue prominence to this matter when they place it among the *first* duties incumbent on us. No doubt there are great opportunities for retrenchment; and perhaps some of the modes indicated in the resolutions before us are well worthy being adopted; but they are all, comparatively, minor matters. These are not the grievances of which the country complains. These are not the burdens which weigh down its energies, and which have buried its prosperity in the dust; and I would not waste upon them the time which ought to be devoted to other, and greater, and higher, and more sacred obligations. The country is looking on with astonishment and alarm, not to say indignation, at the comparatively trivial matters which have engrossed so much of the attention of Congress during this session. In the name of that country, let us postpone all minor concerns until the deep clouds which now overshadow it are dispersed, and the sun of its prosperity again pours down its golden beams to warm it into life, and strength, and vigor."

The session of '42-3 was not distinguished by the discussion of any new question, or contest about principles, or their application. The Whigs had a large majority in both branches of Congress; and having put into operation their system of measures, except where they had been thwarted by the Executive, sought to do nothing, but the indispensable business of the government. Most of this came under the supervision of Mr. Evans as Chairman of the Finance Committee of the Senate. The conduct, not to say treachery, of Mr. Tyler, had been such as to produce the strongest feelings of indignation among the Whigs; and many influential gentlemen in both Houses were constrained to resist his measures by every means in their power. Upon Mr. Evans devolved the delicate task of carrying through the measures necessary for the support of the government, and that too, against, in some instances, a majority of his own friends.

This duty was so discharged as to extort the admiration of the President and his cabinet, without offending or disaffecting any portion of the Whigs.

The very able Secretary of the Treasury, Mr. Spencer, remarked to the writer that the country and the government were alike indebted to Mr. Evans,—that the government could not have gone on without the assistance of his ability and liberality during the whole session.

A new Congress assembled in December, 1843. The disagreement between the Whigs and Mr. Tyler had necessarily resulted in giving to the Democrats a large majority in the House of Representatives. The Whigs retained the preponderance in the Senate; but their numbers were considerably diminished. A concerted and determined attack was early projected in both Houses upon the system of imposts perfected in 1842, and which had been in operation but little more than a year. In the Senate the assault was led by Mr. McDuffie, one of the most zealous, able, and adroit opponents of the protective system in the country. The discussion lasted many days, involving the question of Free Trade *versus* Protection, in all its relations; and enlisted the powers of the principal orators on both sides in the Senate. It was the great debate of the session, and never has the subject been more thoroughly and ably illustrated. The chief burden of the debate on the Whig side was borne by Mr. Evans. He delivered two set speeches; the first was pronounced by Hunt's Magazine to be "one of the best digested and ablest arguments in favor of Protection delivered in Congress since the revival of the tariff policy."

To this speech Mr. McDuffie replied, and Mr. Evans rejoined in a masterly effort. For statistical research, elaboration of argument, variety and felicity of illustration, and true eloquence, this speech has been rarely excelled. It is a triumphant vindication of the wisdom of the protective policy. Though chiefly devoted to the dry details of figures and calculations, he was listened to with profound attention; and he imparted to every sentence an interest which is rarely produced except upon exciting or popular subjects.

We are strongly tempted to extract several portions of this speech, but admonished by our circumscribed limits, we

must content ourselves with a few sentences at the close.

"Mr. President, the honorable Senator, in his estimate of the advantages to be gained by the South from a separate confederacy, makes no account whatever of national strength and national renown. He forgets that ordeal of fire through which we passed in the establishment of our independence, and through which we could never have gone if we had not been united. The glorious past he leaves out of view altogether, while his ardent imagination revels in the brighter visions of the future. Let the separation of which he speaks take place, and that day, on whose annual return ten thousand times ten thousand American hearts beat higher and quicker—that day which first beheld us an independent nation—is to be blotted from the calendar. For the South, at least, it can bring no joyous recollections, no patriotic, heart-stirring emotions. The achievements of our ancestors are to be all forgotten. Camden and King's Mountain may indeed remain within the limits of the new confederacy—but none of the renown and the glory which attach to them will belong to it. All of gallantry, and prowess, and noble bearing which were then displayed, all of high renown, ever-during fame, honor, glory, there acquired, belonged, and ever will belong, in all history, to *United, United, United America*. It can never be divided—God grant it may never be obliterated and forgotten. No account is to be taken of the glorious spectacle which we have presented to the world, in the solution of the great problem of the capacity of mankind for self-government—no account of the great advance which has taken place in government, and the progress of free institutions, all over the world, from our example. The various events of our unparalleled revolution, the renown achieved in that momentous struggle—the veneration for the GREAT and GOOD, the patriots whose fame is our country's inheritance, the sacred bequest of liberty, unity, strength, purchased with so much blood and so much treasure, are all, all to be abandoned, all sacrificed, if, in the providence of God, so deplorable an event should occur, as that which the Senator, for the purposes of illustration, has supposed. But no, sir; none of these things will happen. I have no belief that the honorable Senator himself contemplates or desires such a calamity—I have no belief that his honored State entertains the slightest wish, the faintest hope, for a separation of our union. I am sure I should do him, and it, great injustice, to attribute such a purpose to either. No man is reckless enough to covet the fame, the eternity of infamy, which must await him who shall bring upon this happy land the desolation



and war which such an event must produce. The adventurous youth who undertook but for a single day to guide the chariot of the sun, paid for his temerity with the forfeit of his life. Happy will it be for him who, impelled by a mad ambition, shall kindle up our system in universal conflagration, to escape with so light a penalty. He will live, live in the reproaches and execrations of mankind in all time. He will live in history—not on the page where are inscribed the names of the benefactors of our race; not with the good, the wise, the great, but with the enemies of the liberties and happiness of mankind, with the oppressors of their race, with the scourges whom God has permitted to desolate nations, and to quench human happiness in tears and blood.

"Sir, we are one. We cannot be divided. We have a common country, a common history, common distinction, renown, pre-eminence. They all belong to one, and one only. We have common and mutual interests which bind us together, and which cannot be severed. Bands stronger than iron or steel hold us in indissoluble connection.

"One sacred oath has tied  
Our loves; one destiny our life shall guide,  
Nor wild, nor deep, our common way divide."

In the protracted contest which terminated in the overthrow of the tariff system of 1842, and the substitution of the defective and incongruous bill of imposts prepared by the head of the Treasury Department and his incompetent subordinates, Mr. Evans led the debate on the Whig side of the Senate. He concluded his last speech on the tariff policy in the following terms:

"I have now discharged my duty. This is, undoubtedly, the last occasion which I shall ever have to address the Senate of the United States upon this subject. The period of my service in the public councils is drawing to its close. If my inclinations or my interests had alone been considered, it would have terminated before this time. I have had occasion frequently—quite too frequently—to address the Senate upon this subject. I bore some humble part in the enactment of the law of 1842, which is now to be overthrown. I exerted myself then, with what ability I could, against long, persevering, able opposition—and I have done so repeatedly since—in vindicating and upholding the policy of that act. I have done so now. But in all this, sir, I have had no personal ends to subserve—no selfish objects to gratify. I have no personal interests,

whatever, in maintaining the system which has prevailed, and for which I have labored. No one on earth, in any way connected with me, has any interest in its preservation, beyond what every good citizen of the country has, in seeing his fellow-men prosperous and happy, and his country rising in wealth and strength. To accomplish this, I have labored as I have labored. I have gained nothing—I expect nothing, personally. Well may it be said—

*'Sic vos non vobis, fertis aratra boves;'*

for we have worked like oxen in the harness—not for ourselves, but for the interests of our country. If others have reaped and gathered in golden harvests from the fields which we have ploughed and tilled, I have no repinings—no envyings—no regrets—though I have gathered none myself. But I have this consolation, sir, this pride, this exultation, that I have labored in a just and honorable spirit of patriotism, for the good of my country. I see it, and I rejoice to see it, rising in strength, in wealth, in power. And it is to me—however feebly I have discharged any duties connected with it—it is to me, and it ever will be, a source of proud satisfaction that I have been, in a very humble degree, a fellow-laborer with others, in building up, and advancing, and upholding the interests, and happiness, and honor of this great people."

In publishing this speech the intelligent and discriminating editors of the Boston Atlas remarked, "There is probably no man living who is better acquainted with the financial affairs of the country than Mr. Evans; and this speech has been commended as one of the very best ever made in the Congress of the United States on the subject of revenue."

During the last session of Congress, the long illness of Mr. Lewis, Chairman of the Finance Committee, imposed upon Mr. Evans the chief part of the duties of that committee; and he discharged them in such a manner as to command the universal admiration of the Senate. His senatorial term closed with that session; and we can safely say that there was a general feeling of regret in that body at his retirement.

Although more than one half of his life has been spent in the public service, Mr. Evans has devoted much attention to the subject of education and literature, not only in his native State, but in other parts of the country. He is a trustee of each of the colleges of Bowdoin and Waterville, in Maine, and held the office of Regent of the Smithsonian Institute,

during the period required for its organization. His literary acquirements and services have been so far appreciated that the trustees of Washington College, Pennsylvania, at their last annual meeting, conferred upon him the degree of L.L.D. This is a matter of slight consequence, to be sure, but it is mentioned to show that his claims to public consideration do no rest exclusively upon political service.

We cannot conclude this hasty and imperfect summary of the principal events

in the public life of Mr. Evans, without expressing the hope that the country will not long be deprived of his services. If the State of Maine is so blind to her own interests and honor as to permit his withdrawal from the Senate, the great theatre of his usefulness, we are quite sure that the Kennebec District will insist upon his resuming his old station in the House of Representatives until 1849, when a Whig President will require his services at the head of the Treasury Department.

## THE ELM-SYLPH.

BY H. W. PARKER.

A GRACEFUL young elm, with a maidenly form,  
That swings in the sunlight and bends in the storm,  
Has shaded my window for many long years;  
And year after year its pavilion it rears—  
Still grows with my growth and endures with my strength,  
Till it folds me in shade as I lie at my length.  
It whispers me dreams in the faint summer days,  
And sprinkles my table with gold-dropping rays;  
It sings me bland music through all the hush'd night,  
And shows a sweet glimpse of the stars' stealthy light;  
It curtains the glare of the impudent dawn,  
And woos back the dusk like a shivering fawn.  
Oh, long have I loved thee, my Elm—gentle Elm!  
Thou standest as proud as the queen of a realm,  
And winningly wavest thy soft leafy arms,  
Like a beautiful maid who is conscious of charms.  
Oh, oft have I leaned on thy rough-rinded breast,  
And thought of it oft as an iron-like vest—  
No breastplate of steel, but a corslet of bark  
That hid the white limbs of my Joan of Arc!  
Shout—shout to thy brothers, the forests, I said,  
And lead out the trees with a soldierly tread;  
Thou art armed to the teeth, and hast many a plume—  
Then marshal the trees, and avenge their sad doom;  
Enroll all their squadrons and lead out the van,  
And turn the swift axe on your murderer—man!  
But ah,—thus I said evermore,—the tall trees,  
Though they shriek in the tempest and sing in the breeze,  
Have never a soul and are rooted in earth!  
They live and they die where they spring into birth;  
The stories of Dryads are only a dream,  
And trees are no more than they outwardly seem.

One night the wind blew with a murmuring plaint,  
Like the wandering ghost of a heaven-banished saint;  
It restlessly swayed by my window the tree  
That told all its griefs and its joyings to me.

The moon, overspread with a white misty veil,  
 Seemed quitting its grave, like a spectre-face pale;  
 I looked at the elm, and I gazed at the moon—  
 How long I know not—but I started, as soon  
 A smooth little hand, with a velvet embrace,  
 Took mine in its clasp—but I saw not a face;  
 I saw but a hand stealing out from a branch,  
 Whose leaves 'gan to wither, the rough rind to blanch,  
 And soon all the trunk and the off-shoots to strain—  
 To writhe and to swell like a serpent in pain—  
 Or like the nymph, Daphne, when she was pursued,  
 And, changed to a laurel tree, pantingly stood.  
 An arm—lily arm!—and a neck—snowy neck!—  
 And, lo, all the elm tree is falling a wreck;  
 Like a butterfly's chrysalis, bursts all the bark,  
 And forth as a sylph springs my Joan of Arc!  
 Ye Gods! how she struggled and swayed, when the wind  
 Blew hither and thither, and shrieked like a fiend:  
 With the strong wind she wrestled, then flew to my side—  
 Said silverly, "Haste with me!—now for a ride!  
 O'er the breadth of a world, in a martial array,  
 The forests are moving—so up and away!"

Away and away through the billowy air—  
 One arm clasped around me, her long wavy hair  
 Streamed back like a pennon of silk to the wind,  
 As we left the still town and its glimmer behind.  
 Away and away o'er the mountains and meads,  
 I darted, upborne by no magical steeds,  
 But buoyed by the hand of my glorying Elm,  
 Whose wishes were wings that no storm could o'erwhelm.  
 We paused in mid air, and "Look downward!" she cried,  
 "O'er a battle-ground, now, like the eagles, we ride."  
 I gazed and I quailed at the dizzying height,  
 Made giddier still by the vagueness of night—  
 But, gathering heart, the horizon I scanned,  
 As it swept all about, like a maelstrom of land;  
 Wide—wide as eternity, towered its bound,  
 And, deeper than hell, all the world spun around!  
 Then nearer and slower it wheeled to my sight,  
 As we sank gently down from the wildering height.  
 It ceased, and, ye Gods!—what a vision I saw,  
 As I looked down intently with shuddering awe—  
 The forests were marching with far-shaking tread,  
 As if ages of men had been raised from the dead;  
 Interminable armies—a dark moving throng—  
 Were crossing and wheeling and pressing along,  
 And ranks upon ranks they were stretching afar,  
 Till they shone by the face of a just setting star.  
 Down, down we alighted, the Elm-sylph and I,  
 On a mountain that lifted its bare summit high.  
 And why are yon trees on these thunder-scarr'd rocks?  
 And why does the giant one shake his green locks?  
 "'Tis the Emperor Elm!" said the sylph as she kneeled,  
 "And he marshals the trees to a stern battle-field!"

I gazed at the Shape, and it seemed both to be  
 A warrior king and a towering tree,  
 That strode like a god, looking loftily down,  
 And royally nodding his broad leafy crown.

I saw all his gestures, but heard not his words,  
 As he gathered around him his counselling lords :—  
 A willow that bowed with its courtliest grace ;  
 A birch with its ruffles and silvery lace ;  
 A veteran oak and a tall gallant pine,  
 Who spoke of the Danube, the Elbe, and the Rhine ;  
 A rough, stalwart hemlock ; a cedar bedight  
 With helmet and lance, like a chivalrous knight ;  
 A chestnut and maple and sycamore old,  
 In red autumn dresses, emblazoned with gold.  
 I heard their low murmur and little beside,  
 Till the Emperor Elm, with a hurrying stride,  
 Advanced to the brink of the rock's giddy brow,  
 And waved his broad hand to the forests below.  
 " Halt !—halt, and attend you ! " he shouted aloud,  
 And a hush smote along the tumultuous crowd,  
 Like a surge circling out where a Titan had hurled  
 An Alp into seas that engirdle a world.  
 " Halt !—halt, and attend ye, my gallant array,  
 And list to the words that I hasten to say.  
 No longer to stand like insensible mutes,  
 It is given us to-night to 'unloosen our roots—  
 To wield our lithe arms, to step forth at our will,  
 By valley and mountain, by river and rill.  
 The term of our bondage and groaning is o'er ;  
 We start from our sleep with tempestuous roar,  
 And while the pale nations lie closer and cower,  
 And mutter of storms, 'tis the Trees' waking hour.  
 We fight not each other, with man's demon lust,  
 But one common foe let us trample to dust.  
 For men, with the axe and the furious fires,  
 Have slain us and lighted our funeral pyres ;  
 They have sawn us asunder, they pile up our bones,  
 And call them their cities, their temples, their thrones :  
 They drink from our skulls, or, invoking the breeze,  
 They ride in our skeletons over the seas ;  
 They pierce us with shot, and they make of us wheels  
 To drag the hot cannon where red Battle reels.  
 Oh, curs'd be the traffics we help them to wage,  
 And curs'd be the ages of man's bloody rage !  
 Battalions, stand firm !—for the dawn breaks afar  
 That will startle the world with the earthquake of war.  
 Await ye the watchword—then pass it around,  
 Till the rim of the heavens bend aside at the sound ;  
 Keep close in your ranks, troop, squadron and square,  
 Then rush like the whirlwinds ingulfing the air,  
 On cities and palaces fearlessly fall,  
 Crush the homesteads of mortals by hearthstone and hall !  
 Oh, rich is the blood that shall deluge the earth,  
 And sweeten the soil that has nursed us to birth ! "   
 He ceased. Like the roar of the triumphing sea,  
 When it surges aloud on a far distant lee,  
 Re-echoed applauses ran rattling away  
 Wherever the listening wilderness lay.  
 The Elm-spirit rocked on the shuddering air,  
 That loosened and lifted her beautiful hair,  
 As she clung to my arm, and extended her hand  
 Where circled the billowy ocean of land.  
 I looked, and the daylight was brightening the scene,  
 And changing the landscape from duskness to green ;  
 The forests seemed watching with myriad eyes,  
 Awaiting the war-cry to shout and to rise ;—



A flush on the hills and a flash on the streams,  
 And the sun has arisen with far-slanting beams!  
 "Advance!" and "Advance!" is the shout in the air,  
 And thousands of scimitars mingle their glare;  
 The Imperial Elm—lo, he leaps from the rock!—  
 The forests are stepping with deafening shock—  
 A sentinel aspen has tremblingly fled—  
 Dense volumes of dust to the heavens are up spread.  
 Ho!—ho!—what a drumming of wings in the air,  
 What a howling of beasts from their down-trampled lair,  
 What a screaming of birds as they hurry away—  
 No need of the gong and the trumpet to-day!  
 On, on rush the forests in dust-rolling gloom,  
 Like a gathering universe summoned to doom;  
 My Soul!—they are climbing this mount's dizzy height—  
 Save—crush me, ye rocks, from the terrible sight!  
 \* \* \* \* \*  
 My storm-riven Elm tree!—ah! little I deemed  
 Thou wert slain by my side as I heedlessly dreamed.

## ABRAHAM COWLEY.

"As drives the storm, at any door I knock,  
 And house with Montaigne now, or a with Locke."

HOPE'S IMITATIONS OF HORACE.

"No entertainment is so cheap as reading, nor any pleasure so lasting."

LADY M. W. MONTAGUE.

"Come with me to our town, where I can furnish you with more than three hundred books that are the delights of my soul and the entertainment of my life."—DON QUIXOTE.

THE weather has been dull and cheerless for several days past, but, as we look from our window, the grass has a tender, lively green, and the beds are full of flowers. We look around at our books, those eloquent, though silent friends, and think how many hours of heart-felt delight we have passed in their company. We have lived in a world of books, pictures, and love, the only true ideal, and now placidly thank God for all the enjoyments that have been lavished on us. The room where we are writing this is a delightful one, well filled with the deathless productions of deathless minds, or, as Bacon nobly expresses it, the images of men's wit and knowledge remain in books, exempted from the wrong of time, and capable of perpetual renovation. There are also some fine prints on the wall, and that one from Hobima, "The Rural Village," has a quiet, country, sabbath-like air, and Ruben's "Waggoners," and "The Going to Market," and Both's "Banditti Prisoners," are all engraved in the highest style of art by Browne, the best landscape engraver, we think, that

the world has produced. He gives the force of the painting. You can almost peel the bark from the trees, and the branches wave as if feeling the influence of the breeze. We prefer engravings like these to ordinary paintings. There, over the table you see a likeness of William Godwin, and he looks as if he *could* write "An Enquiry Concerning Political Justice," and "Caleb Williams." When Northcote had finished the likeness from which this print is taken, he vauntingly said, "I have immortalized Godwin." Vain boast, for the names of Hazlitt and Godwin will preserve the former reputation of Northcote, for even now the mass of his pictures have fallen into oblivion, beyond the hope of redemption. The world is too rich to pay attention to inferior productions, too wealthy in books, and paintings, and sculpture, to dandle sickly attempts into an unreal and unhealthy bloom. We pass our eye along the shelves and exclaim, What shall we read? we must select some good-natured author, one whom we love as much personally, as in his books; one who often forgets the

trade of authorship and is proud of his humanity. "One touch of nature makes the whole world kin." Ah, there is Cowley, who once thought, and called himself "melancholy," because disappointed in his hopes by the dissolute and ungrateful Charles. It was but a momentary feeling. We like to read Cowley in the old folio editions; they look as ample and generous as his own nature was. Charles Lamb, in a letter to Coleridge in 1797, has this passage, "In all our comparisons of taste, I do not know whether I have ever heard your opinion of a poet very dear to me, the now out of fashion Cowley. Favor me with your judgment of him, and tell me if his prose essays, in particular, as well as no inconsiderable part of his verse be not delicious. I prefer the graceful rambling of his essays, even to the courtly elegance and ease of Addison, abstracting from this the latter's exquisite humor." Lamb remarks in his "Detached Thoughts on Books and Reading," "the sweetest names and which carry a perfume in the mention, are, Kit Marlowe, Drayton, Drummond of Hawthornden and Cowley.

The preface to the edition of 1665 contains some fine passages. He observes there is nothing that requires so much serenity and cheerfulness of spirit, as writing—it must not be either overwhelmed with the cares of life, or overcast with the clouds of melancholy and sorrow, or shaken and disturbed with the storms of injurious fortune; it must, like the halcyon, have fair weather to breed in. The soul must be filled with bright and beautiful ideas, when it undertakes to communicate delight to others. "The truth is, for a man to write well, it is necessary to be in good-humor." Cowley's free and independent spirit filled him with the desire to go to America, "not to seek for gold, or to enrich himself with the traffic of those parts, but to bury himself in some obscure retreat, but not without the consolation of letters and

philosophy." It was always his warmest wishes that he might be the master of a small house and a large garden, and dedicate his life to them and the study of nature; and he confesses that he loves littleness in almost all things, a little convenient estate, a very little feast, and he thought if he fell in love again, it would be with prettiness rather than majestic beauty. In this publication he rejected the pieces he wrote at school, from the age of ten till after fifteen, for he says, "even so far backward there remain yet some traces of me in the little footsteps of a child."

Cowley was the most popular poet of his day, and Waller the next. Dryden was not yet famous, and the delicious minor poems of Milton, though read and praised by many of the finest minds in England, and "great in mouths of wisest censure," had not as yet made him known to the people. The year that closed the eyes of Cowley beheld the appearance of earth's noblest poem, "Paradise Lost."

Cowley was the posthumous son of a grocer; but his mother, with untiring exertion, gave him an excellent education, which enriched a mind and heart already by nature, modest, sober, sincere, and guided by gentle affections and moderate desires: she lived to the age of eighty, and was happily rewarded in seeing her son eminent. When but a boy he displayed a taste for poetry; and a volume of his poems was published in his thirteenth year. He had an early relish for Spenser's *Fairie Queene*—a copy of which used to be in his mother's parlor. During the unhappy troubles between the King and Parliament, he was a zealous royalist, and went with the queen-mother to France; and was sent on various embassies, and always displayed tact, skill, and energy. His letters, at these periods, were manly, concise, and to the point. He deciphered the correspondence between Charles and his queen—an office of the highest trust and honor—which, for some years, took

\* "To him no author was unknown,  
Yet what he wrote was all his own;  
He melted not the ancient gold,  
Nor with Ben Johnson did make bold  
To plunder all the Roman stores  
Of poets and of orators.  
Horace, his wit and Virgil's state,  
He did not steal but emulate;  
And when he would like them appear,  
Their garb, but not their clothes, did wear."

SIR JOHN DENHAM'S LINES ON COWLEY.

up his entire time daily, and some two or three nights in a week. When the Restoration came, Cowley expected, and with justice, some post or reward for his diligent and valuable services, and hoped to be made master of the Savoy; but his claims were passed by with the most supercilious coolness—the court had taken offence at his *Ode to Brutus*, and his comedy of the *Cutter of Coleman street*, produced after the Restoration, where the recklessness, jollity, profusion, and miserable shifts and contrivances courtiers and cavaliers were put to, are depicted in strong and vivid colors. The court looked upon it as a satire. Cowley was too honest to falsify history; and had too much sense not to know that a comedy to be attractive, must be a faithful representation of human nature. The disappointment was keenly felt, and he turned his face to the green fields, balmy air, the woods, musical with the song of birds, and to “weeds of glorious feature” to lull the throbbing heart, and cool the fevered brow. He had been absent ten years from his country, much of which had been passed in danger and anxiety; and he was now turned beyond forty—a period when we are reminded that there is no fooling with life, and more carefully watch the sand as it drops

through the glass. He felt the need of quiet and repose.\* How exquisite is his parallel between the country and city.

“We are here among the vast and noble scenes of nature; we are there among the pitiful shifts of policy: we walk here in the light and open ways of the divine country; we grope there in the dark and confused labyrinths of human malice: our senses are here feasted with the clear and genuine taste of their objects, which are all sophisticated there, and, for the most part, overwhelmed with their contraries. Here, pleasure looks (methinks) like a beautiful, constant, and modest wife; it is there an impudent, fickle, and painted harlot. Here, is harmless and cheap plenty; there, guilty and expensive luxury. I shall only instance in one delight more, the most natural and best natured of all others, a perpetual companion of the husbandman; and that is, the satisfaction of looking round about him, and seeing nothing but the effects and improvements of his own art and diligence; to be always gathering of some fruits of it, and at the same time to behold others ripening, and others budding; to see all his fields and gardens covered with the beauteous creatures of his own industry; and to see, like God, that all his works are good:

---

\* These verses of *Randolph's* would have fitted his mouth as he left London.

“Come spur away,  
I have no patience for a longer stay,  
But must go down  
And leave the chargeable noise of this great town:  
I will the country see,  
Where old simplicity  
Tho' hid in grey,  
Doth look more gay  
Than foppery in plush and scarlet clad.  
Farewel, you city wits, that are  
Almost at civil war;  
'Tis time that I grow wise when all the world grows mad.  
More of my days  
I will not spend to gain an idiot's praise;  
Or to make sport  
For some slight play of the inns of court.  
Then, worthy Stafford, say,  
How shall we spend the day?  
With what delights  
Shorten the nights  
When from this tumult we are got secure;  
Where mirth with all her freedom goes,  
Yet shall no finger lose  
Where every word is thought, and every thought is pure.  
There, from the tree  
We'll cherries pluck, and pick the strawberry;  
And every day  
Go see the wholesome girls make hay,  
Whose brown hath lovelier grace  
Than any painted face  
That I do know  
Hyde Park can show.

On his heart-strings a secret joy doth strike."

Through the friendship and aid of Lord St. Albans and the Duke of Buckingham he obtained the lease of some lands belonging to the queen, worth about £300 per annum, and retired to Chertsey.\* The people of the neighborhood, whom Cowley expected to find all innocence and simplicity, like the shepherds described in *Sir Philip Sydney's Arcadia*, turned out to be quite different from all that he had anticipated. He could get no money from his tenants, and they turned their cattle into his meadows nightly, to his loss and annoyance. He complained of these inroads in a letter to Dr. Thomas Sprat, dated May 21, 1665, at Chertsey; this letter, and one to John

Evelyn, a man of elegant tastes and disposition, we think are the only remains of Cowley's printed correspondence. How deeply is this to be regretted. Sprat, his biographer, says, that his letters to his friends were excellent; "in these he always expressed the native tenderness and innocent gaiety of his mind," and yet Sprat, from a false modesty, neglected to publish them. We can conceive no letters to have been more delightful than those of Cowley; and we base our opinion upon the easy and graceful style of his prose essays; his frank, charming nature, and enlightened, vigorous, healthy intellect; doubtless they would have compared favorably with the epistolary genius of Gray and Cowper. The letters of distinguished men always possess a greater

---

\* Howitt, in his "*Rural Life of England*," has the following eloquent passage, descriptive of the Golden Grove, kept by James Snowden, at the foot of St. Anne's Hill, Chertsey—

"Who does not know it that loves sweet scenery, sweet associations, or a pleasant steak and pipe, or a tea-party on a holiday of nature in one of the most delicious nests imaginable? Yes! there is a nice old village inn for you; and such a tree! There you have a picture of the Golden Grove, all in a blaze of gold, somewhat dashed and dimmed, it is true, by the blaze of many suns,—but there it is, in front of the inn, and by the old tree. The inn, the hanging gardens, and orchards; the rustic cottages scattered about, the rich woods and splendid prospects above, the beautiful meadow and winding streams below; why, they are enough to arrest any traveller, and make him put up his horse, and determine to breathe a little of this sweet air, and indulge in this Arcadian calm, amid these embowering woodlands. And where is he? Below, in those fair meadows, amid those cottage roofs, and orchard trees, rises the low, square, church-tower of Chertsey: Chertsey, where Cowley lived and died; and where his garden still remains as delicious as ever, with its grassy walk winding by his favorite brook; and the little wooden bridge leading into the richest meadows; and where his old house yet remains—saving the porch pointing to the street, which was taken down for the public safety; but the circumstance and its cause are recorded on a tablet on the wall, with this concluding line—

'Here the last accents flowed from Cowley's tongue.'

"You, then, poetical or enthusiastic traveller, or visitant, tread the ground which Abraham Cowley trod in his retirement; and what is more, you tread the ground which Charles James Fox trod in his retirement. The hill above is St. Anne's,—conspicuous through a great part of Surrey, Bucks, Herts, and Middlesex; delightful for its woods and for its splendid panoramic views, including the winding Thames, *Cooper's Hill*—celebrated by *Sir John Denham*—Hampstead, Highgate, Harrow, and mighty London itself; but still more delightful to the patriotic visitant, as the place where Fox retired to refresh himself for fresh struggles for his country. It is a place which Rogers by his pen, and Turner by his pencil, have made still more sacred. Who does not know the lines of Rogers, in his poem of *Human Life*, referring to Fox:

"And now once more where most he wished to be,  
In his own fields, breathing tranquillity—  
We hail him—not less happy, Fox, than thee!  
Thee at St. Anne's so soon of care beguiled,  
Playful, sincere, and artless as a child!  
Thee, who wouldst watch a bird's nest on the spray  
Through the green leaves exploring, day by day.  
How oft from grove to grove, from seat to seat,  
With thee conversing in thy loved retreat  
I saw the sun go down! Ah, there 'twas thine  
Ne'er to forget some volume half divine,  
Shakspeare's or Dryden's—through the chequered shade  
Borne in thy hand behind thee, as we strayed:  
And where we sate, (and many a halt we made,)  
To read there with a fervor all thine own,  
And in thy grand and melancholy tone,  
Some splendid passage not to thee unknown,  
Fit theme for long discourse. Thy bell has tolled.'"



interest than their more finished writings; we see them in undress, and become acquainted with their daily habits and thoughts. We copy the letter to Evelyn, as it displays the easy natural intercourse that subsisted between two accomplished men.

"BARN ELMS, March 23. 1663.

"Sir,—There is nothing more pleasant than to see kindness in a person for whom we have great esteem and respect: no, not the sight of your garden in May, or even the having such an one; which makes me more obliged to return you my most humble thanks for the testimonies I have lately received of you, both by your letter and your presents. I have already sowed such of your seeds as I thought most proper, upon a hot-bed; but cannot find, in all my books, a catalogue of those plants which require that culture; nor of such as must be set in pots; which defects, and all others, I hope to see shortly supplied, as I hope shortly to see your work of horticulture finished and published; and long to be in all things your disciple, as I am in all things now, sir, your most humble, and most obedient servant, A. COWLEY."

In another place he writes:—

"I know nobody that possesses more private happiness than you do in your garden; and yet no man who makes his happiness more public by a free communication of the art and knowledge of it to others. All that I myself am able yet to do is only to recommend to mankind the search of that felicity which you instruct them how to find and enjoy.

Happy art thou, whom God doth bless  
With the full choice of thine own happiness;

And happier yet because thou'rt blest  
With prudence how to choose the best;  
In books and gardens thou hast placed  
aright

(Things which thou well dost understand,  
And both dost make with thy laborious hand.)

Thy noble, innocent delight:  
And in thy virtuous wife where thou again  
dost meet

Both pleasures more refined and sweet;  
The fairest garden in her looks,  
And in her mind the wisest books."

D'Israeli, in *The Literary Character*, makes mention of an original letter of the poet's to Evelyn, where he expresses his eagerness to see Sir George Mackenzie's Essay on Solitude, for a copy of which he had sent all over town without obtaining one, being "either all bought up or burnt in the fire of London." "I am the more desirous," he says, "because it is a subject in which I am most deeply interested."

We judge Cowley's retirement, upon the whole, to have been happy. He enjoyed it about seven years. He cultivated his garden; attended to the duties of his farm; wrote his Essays, imbued with a thoughtful, cheerful philosophy, dwelling on the pleasures of a country life, the dangers surrounding a court; fondly informing us of his tastes, hopes and wishes; giving us a truer insight into his favorite books, with all the winning communicativeness of the dearest friend. We seem to sit by him as he is writing, and perceive and do full justice to a man so natural, easy and equable. We eat some fruit of his own raising, and he points out to us a bunch of flowers that he had gathered in the morning, with the dew on them, before he went out into the fields; and now the sun is falling in broad masses on the golden stubble, the harvest has been gathered in, and he, with a quiet and contented eye, is gazing out on the landscape and the sky; and a bird, on a bush whose branches almost touch the low window, is pouring out liquid notes till the air rings, as he sways himself to and fro on a slender twig. "The plough was nearing the end of the furrow." He caught cold while out among his laborers, which he neglected at the time, and in two weeks his mortal career was at an end. He was buried between the tombs of Chaucer and Spenser. His appearance was very prepossessing: he had a mild, gentle expression of face, flowing locks, a round full neck, and he wore his collar open. His residence at Chertsey has a pleasant, antiquated, rambling appearance. Such a house and grounds as described by Leigh Hunt would have exactly suited the fancy of Cowley:

"I know full well

What sort of house should grace my garden-bell—  
A good old country lodge, half hid with blooms,  
Of honied green, and quaint with straggling rooms,  
A few of which, white-bedded and well swept,  
For friends, whose names endeared them, should be kept

Of brick I'd have it, far more broad than high, }  
 With green up to the door, and elm-trees nigh; }  
 And the warm sun should have it in his eye. }  
 The tiptoe traveller, peeping through the boughs  
 O'er my low wall, should bless the pleasant house,  
 And that my luck might not seem ill-bestowed,  
 A bench and spring should greet him on the road

My grounds should not be large; I like to go  
 To Nature for a range, and prospect too,  
 And cannot fancy she'll comprise for me  
 Even in a park, her all-sufficiency.  
 Besides, my thoughts fly far; and when at rest,  
 Love, not a watch-tower, but a lulling nest.  
 But all the ground I had should keep a look  
 Of Nature still, have birds' nests and a brook;  
 One spot for flowers, the rest all turf and trees;  
 For I'd not grow my own bad lettuces.  
 I'd build a wall, however, against the rain,  
 Long, peradventure, as my whole domain,  
 And so be sure of generous exercise,  
 The youth of age and medicine of the wise.  
 And this reminds me that, behind some screen  
 About my grounds, I'd have a bowling-green;  
 Such as in wits' and merry women's days,  
 Suckling preferred before his walk of bays.  
 You may still see them, dead as haunts of fairies,  
 By the old seats of Killigrews and Careys,  
 Where all, alas, is vanished from the ring,  
 Wits and black eyes, the skittles and the king."

As we are writing a rambling, gossiping essay, we will give the *wishes* of a few more poets that we think the reader will be pleased with. The next is from Green's "Spleen," a poem that has been eulogized by Aiken, Hunt, Hazlitt and Sir Egerton Brydges. Green was a man of tried probity, sweetness of temper and refined manners. Thus he models his desire:

"Two hundred pounds half-yearly paid,  
 Annuity securely made,  
 A farm some twenty miles from town,  
 Small, tight, salubrious, and my own;  
 Two maids that never saw the town,  
 A serving-man not quite a clown,  
 A boy to help to tread the mow,  
 And drive, while t'other holds the plough;  
 A chief, of temper formed to please,  
 Fit to converse and keep the keys;  
 And, better to preserve the peace,  
 Commissioned by the name of niece:  
 With understandings of a size  
 To think their master very wise.  
 May Heaven (it's all I wish for) send  
 One genial room to treat a friend,  
 Where decent cup-board, little plate,  
 Display benevolence, no state.  
 And may my humble dwelling stand  
 Upon some chosen spot of land:  
 A pond before, full to the brim,  
 Where cows may cool and geese may swim;  
 Behind, a green, like velvet neat,  
 Soft to the eye and to the feet;

Where odorous plants in evening fair  
 Breathe all around ambrosial air."

Now follows Bryan Waller Proctor, a true poet and man.

"Now give me but a cot that's good,  
 In some great town's neighborhood;  
 A garden, where the winds may play  
 Fresh from the blue hills far away,  
 And wanton with such trees as bear  
 Their loads of green through all the year,  
 Laurel and dusky juniper;  
 So may some friends, whose social talk  
 I love, there take their evening walk,  
 And spend a frequent holiday.

And may I own a quiet room,  
 Where the morning sun may come,  
 Stored with books of poesy,  
 Tale, science, old morality,  
 Fable, and divine history,  
 Ranged in separate cases round,  
 Each with living marble crowned.  
 Here should Apollo stand, and there  
 Isis, with her sweeping hair;  
 Here Phidian Jove, or the face of thought  
 Of Pallas, or Laocoon,  
 Or Adrian's boy Antinous,  
 Or the winged Mercurius,  
 Or some that conquest lately brought  
 From the land Italian.  
 And one I'd have, whose heaving breast  
 Should rock me nightly to my rest,

By holy chains bound fast to me,  
Faster by Love's sweet sorcery.  
I would not have my beauty as  
Juno or Paphian Venus was,  
Or Dian with her crested moon  
(Else, haply, she might change as soon),  
Or Portia, that high Roman dame,  
Or she who set the world on flame,  
Spartan Helen, who did leave  
Her husband-king to grieve,  
And fled with Priam's shepherd-boy,  
And caused the mighty tale of Troy.  
She should be a woman who  
(Graceful without much endeavor)  
Could praise or excuse all I do,  
And love me ever.  
I'd have her thoughts fair, and her skin  
White as the white soul within;  
And her fringed eyes of darkest blue,  
Which the great soul looketh through,  
Like heaven's own gates cerulean;  
And these I'd gaze and gaze upon,  
As did of old Pygmalion."

Of Cowley's poetry, we like his Anacreontics the best; they are full of animation and spirit, and run along "with wanton heed and giddy cunning," and appeal both to the fancy and the heart. He rivals the poets of antiquity in ease and elegance. "The Chronicle" is unique in its kind, for it is said of Cowley that he was in reality never in love but once, and then had not confidence enough to declare his passion.

"Margarita first possest,  
If I remember well, my breast,  
Margarita first of all;  
But when a while the wanton maid  
With my restless heart had played,  
Martha took the flying ball.

Martha soon it did resign  
To the beauteous Catherine.  
Beauteous Catharine gave place  
(Though loath and angry she to part  
With the possession of my heart)  
To Eliza's conquering face.

Eliza to this hour might reign,  
Had she not evil counsels ta'en;  
Fundamental laws she broke,  
And still new favorites she chose,  
Till up in arms my passions rose  
And cast away her yoke.

Mary then and gentle Anne  
Both to reign at once began,  
Alternately they swayed;  
And sometimes Mary was the fair,  
And sometimes Anne the crown did wear,  
And sometimes both I obeyed.

Another Mary then arose,  
And did rigorous laws impose;  
A mighty tyrant she!

VOL. VI.—NO. I.

Long, alas! should I have been  
Under that iron-sceptered queen,  
Had not Rebecca set me free.

When fair Rebecca set me free,  
'Twas then a golden time with me.  
But soon those pleasures fled;  
For the gracious princess died  
In her youth and beauty's pride,  
And Judith reigned in her stead.

One month, three days and half an hour  
Judith held the sovereign power.  
Wondrous beautiful her face!  
But so weak and small her wit,  
That she to govern was unfit,  
And so Susanna took her place.

But when Isabella came,  
Armed with a resistless flame,  
And the artillery of her eye  
Whilst she proudly marched about,  
Greater conquests to find out,  
She beat out Susan by the bye.

But in her place I then obeyed  
Black-eyed Bess, her viceroy maid,  
To whom ensued a vacancy.  
Thousand worse passions then possest  
The interregnum of my breast:  
Bless me from such an anarchy!

Gentle Henrietta then,  
And a third Mary next began,  
Then Joan, and Jane, and Audria,  
And then pretty Thomasine,  
And then another Catherine;  
And then a long "et cetera."

But should I now to you relate  
The strength and riches of their state,  
The powder, patches, and the pins,  
The ribbons, jewels, and the rings,  
The lace, the paint and warlike things  
That make up all their magazines.

If I should tell the politic arts  
To take and keep men's hearts;  
The letters, embassies and spies,  
The frowns, and smiles, and flatteries,  
The quarrels, tears and perjuries,  
Numberless, nameless mysteries;

And all the little lime-twigs laid  
By Machiavel, the waiting-maid,  
I more voluminous should grow  
(Chiefly if I, like them, should tell  
All change of weathers that befall)  
Than Holinshed or Stow.

But I will briefer with them be,  
Since few of them were long with me.  
A higher and a nobler strain  
My present empress does claim,  
Heleonora, first o' the name,  
Whom God grant long to reign."

Johnson, for a wonder, appreciated the flavor of "The Chronicle," and has expressed his admiration in nervous and sparkling language. He says that it is a composition unrivalled and alone; such gaiety of fancy, such facility of expression, such varied similitude, such a succession of images, such a dance of words, it is vain to expect except from Cowley. His strength always appears in his agility. His volatility is not the flutter of a light, but the bound of an elastic mind. His levity never leaves his learning behind it; the moralist, the politician and the critic mingle their influences even in this airy frolic of genius. To such a performance Suckling could have brought the gaiety, but not the knowledge; Dryden could have supplied the knowledge, but not the gaiety.

Sir Egerton Brydges preferred Cowley's prose style to that of Addison, and thought that there was nothing more beautiful in the English language, both in matter and style, than his Essays; and Leigh Hunt thinks that there is not a more companionable thing of the sort for a lounge on the grass. Hazlitt, among Cowley's serious poems, liked "The Complaint" best, and praises the Odes to Vandyke, the Royal Society, and to the latter Brutus, and thought that his Essays were among the most agreeable prose compositions in the language, being equally recommended by sense, wit, learning, and interesting personal

history; and that his portrait of Cromwell, for truth of outline and force of coloring, might vie with the masterpieces of the Greek and Latin historians. It was the opinion of Campbell, that, had Cowley written nothing but prose, it would have stamped him a man of genius and an improver of the language.

Cowley's character appears to us to be as delightful as his writings. His intercourse with the world—and that principally carried on in courts—never impaired the sweetness, simplicity, and clear-sightedness of his nature. He had for his daily companions a cheerful heart, an innocent conscience, and "the lineaments of gospel books." His integrity and independence never left him. The friends he made in youth were his friends to his premature death (for such we cannot help calling it), at the age of forty-nine, although he had accomplished much and enjoyed much.\* His Essays have the impress of an enlightened, observing intellect; and the child-like affection and implicit faith with which he displays his inmost thoughts, make him worthy to be read and admired with Horace, Montaigne and Rousseau.

"With flowers, fit emblems of his fame  
Compass your poet round;  
With flowers of every fragrant name  
Be his warm ashes crowned!"

G. F. D.

## OMOO.

It was in an unguarded moment that the writer of these lines was drawn into promising an article for the issue of sultry midsummer. A lovely afternoon in the middle of June, he was walking alone in a grove, meditating and breathing the sweet air, when the Editorial Power met him, and from that hour to this his soul has not known peace. Had we reflected that all the days of the interim were to be equally inviting—that the fields were to be as green and fragrant as the valleys of Tahiti, and more refreshing in their fragrance, since the odors of our own

country summers are wafted from the Sabeian shore of childhood—had we thought ourselves that we must take from our afternoons so many hours out of the prime of the year—we could hardly have been so rash, to oblige any Editorial or other Power, ever so pen-compelling—not even stern Necessity. But Omoo seemed so easy—the fancy so naturally loves to wander away to those fair islands whither the romance of nature has been gradually banished—that it appeared the lightest task that could be, to run off a few pages giving a common-

\* He was the friend of, and beloved by, Evelyn, Sir Kenelm Digby, Sir Henry Wootton, Harvey, Vandyke, and Hobbes.



place estimate of its merits, and selecting some of the most striking passages, after the approved custom of reviewers.

Here, again, we deceived ourselves; for upon re-reading the book, we find that what we wasted a couple of hours over very agreeably, is not strong enough to bear up a somewhat careful review, which it most certainly deserved, if it deserves anything, at our hands; so that we must look for a reason for taking so much notice of it as to write an article, rather in the interest with which it has been, and will continue for a while to be, received, by the readers of cheap literature, than by what we feel in it ourselves. Hence, we come to our task unwillingly; and were it not that something *ought* to be said respecting Omoo, more than has yet been, we should prefer almost any other subject.

Perhaps it is from this feeling that we have a difficulty in arranging our thoughts into order, and so beginning what we would say in the regular manner. In general, and at first, we can barely observe that we have read Omoo with interest, and yet with a perpetual recoil. We were ready to acknowledge that it was written with much power; that the style, though loose in sentences and paragraphs, was not without character, and the pictures it presented vividly drawn; yet we were ready to say, in the words of the old epigram—

"I do not like thee, Doctor Fell," &c.

The reckless spirit which betrays itself on every page of the book—the cool, sneering wit, and the perfect want of heart everywhere manifested in it, make it repel, almost as much as its voluptuous scenery, painting and its sketchy outlines of stories attract. It is curious to observe how much difficulty the newspapers have had in getting at these causes of dislike. They are evidently not pleased with the book; but—as most writers would, sitting down to write a hasty notice of it immediately after running it through—the daily critics find nothing worse to say respecting it than that they do not believe it. Generally, all over the country, in most of the newspapers which we have seen, (and our opportunities are quite as extensive as any one could desire,) this has been the burden of the short notices of the press, where intended to be at all critical. And, generally, too, the reason for not believing in the truth of Typee's and Omoo's stories is not

given; but the writers content themselves with manifesting their incredulity in some *naïf* or querulous manner that is often amusing. They disbelieve, not so much on the account of improbability of the statements, as from the manner in which the statements are made. Even in the East, where every one fond of adventure has heard, time out of mind, whaling captains and retired boat-steerers tell just such adventures—and there is nothing after them so particularly marvellous in these books—we doubt if there are many readers of good perceptions who have more than a general belief in their truth. They lack *vraisemblance*, and though they are such adventures as might have been true, so much is out of keeping in the minor points of the narratives, and they are "reeled off" in such an abandoned spirit, that we cannot believe them. The writer does not seem to care to be true; he constantly defies the reader's faith by his cool superciliousness; and though his preface and the first part of the first volume are somewhat better toned, the reader does not reach the second without ceasing to care how soon he parts company with him.

To show what we mean by the want of keeping in the details of his narratives, let us reach out a hand and open the first volume we touch, at the first page that comes. Here it is—page 202, vol. 2d. The author is describing a sail to a ship in the harbor of Tahiti, which he and his companion, "Doctor Long-Ghost," undertook to make in a canoe, so small that it was christened the "Pill-Box," by the other sailors.

"Assuming the command of the expedition," he says, "upon the strength of my being a sailor, I packed the long doctor, with a paddle, in the bow, and then shoving off, leaped into the stern; thus leaving him to do all the work, and reserving to myself the dignified sinecure of steering. All would have gone well, were it not that my paddler made such clumsy work that the water splattered and showered down upon us without ceasing. Continuing to ply his tool, however, quite energetically, I thought he would improve after a while, and so let him alone. But by and by, getting wet through with this little storm we were raising, and seeing no signs of its clearing off, I conjured him, in mercy's name, to stop short and let me wring myself out. Upon this he suddenly turned round, when the canoe gave a roll, the outrigger flew overhead, and the next moment

came rap on the doctor's skull, and we were both in the water."

Now, if ever the reader has seen a rattling young fellow come on the stage, in a low comedy or farce, and dash off a soliloquy in the riant style, about his feats at racing, boxing, &c., we think, if he calls to mind the impression, it will strike him as no bad parallel to the *spirit* of this paragraph. Whoever, for instance, has seen Mrs. Hunt, at the Park Theatre, play in the Eton Boy, or any of the successors of Tyrone Power in their favorite dashing Irish characters, will not, we fancy, be at a loss to discover the likeness. We seem, as we read the sentences, to hear the tone of Sir Patrick O'Plenipo or Morgan Rattler. Every sentence is so smart, and comes off with such a tang; the easy yet impetuous impudence takes the reader by surprise, and for a moment he cannot help joining in the laugh with a capital good fellow who enjoys himself so much. Hence, on the stage, all this overflowing exhilaration passes off very well; once or twice we like it, in a new piece, for its own sake; all afterwards is the mere secondary critical enjoyment of estimating the merit of the actor—the same with that of a wine-connoisseur, who sips champagne only to exercise his judgment. But when it is continued through two volumes, and appears on almost every page, one begins to weary of it even at the first, and before the end to lose his respect for a writer who can play the buffoon so deliberately. Hence, we could never read those long modern Irish novels and sketches, Charles O'Malley, and the rest. Every sentence goes off with a pop, which with many readers renders such writing very popular; but for our own part, we soon become tired of so much firing of blank cartridges. The liveliest wit, the quickest humor, the most biting satire, are those which are used with an earnest purpose, and we like not that a man should give himself to the work of writing a whole book, in whatever manner, without showing us some such earnestness in his own character. It will not do for ships that carry a great cloud of canvas to go too light; even Punch would soon founder if he were not so hearty a radical.

But it is not in its spirit alone that this paragraph is a fair sample of the carelessness which every page of *Omoo* exhibits. If we turn back to the 27th page of the first volume, where this "Doctor

Long-Ghost" is introduced, it is said "he quoted Virgil, and talked of Hobbes of Malmesbury, beside repeating poetry by the canto, especially Hudibras. He was moreover a man who had seen the world." "He had more anecdotes than I can tell of—then such mellow old songs as he sung—upon the whole Long-Ghost was as entertaining a companion as one could wish; and to me in the Julia, an absolute god-send." We fear the Doctor himself could scarcely return the compliment paid him in the last sentence. His cool young friend whom he entertained so much, afterwards gets home and writes a book in which he contrives to represent him as playing Pantaloon to his own Harlequin, whenever he mentions him. Is it likely that the Doctor, as he is here described, could have been so simple as he is sometimes shown, and so shrewd as he is seen at others? A man of the world, a good story-teller, full of jest, a jolly companion, is one half the time depicted as a sort of Dominic Sampson, or mere foil to set off the author's smartness, while the other half he appears in his original shape. Take him for all in all, he is an impossible monster, a battered wooden Soldan, whom our Sir Oliver Proudfoote has set up in the garden of his fancy to breathe himself upon. He has no keeping, and is no more a character than those singular creations of the melodrama, who are formed by the necessities of the story, who have nothing to do but to conform to the exigencies which gave them birth—to be tragic or comic, natural or extravagant, as occasion requires.

This same want of keeping appears not more in our author's character drawing, and in the course of his book taken at large, than in the minute particulars of his narratives. He makes always a striking picture, and, as we skim rapidly over one after another, it does not always occur to us at first to question the truth of the details. But when we come to look at them through a second reading, these details are seen to be thrown in with such a bold disregard of naturalness and congruity as one could never put on who was painting from the actual. For example the story of the upsetting the canoe continues thus:

"Fortunately we were just over a ledge of coral, not half a fathom under the surface. Depressing one end of the filled canoe and letting go of it quickly, it bounded up, and discharged a great part of its con-

tents; so that we easily baled out the remainder and again embarked. This time my comrade coiled himself away in a very small space; and, enjoining upon him not to draw a single unnecessary breath, I proceeded to urge the canoe along by myself. I was astonished at his docility, never speaking a word, and stirring neither hand nor foot; but the secret was he was unable to swim, and, in case we met with a second mishap, there were no more ledges beneath to stand upon. 'Drownings but a shabby way of going out of the world,' he exclaimed, upon my rallying him, 'and I am not going to be guilty of it.'

Now the reader will observe that there is certainly some keeping in these two paragraphs—this, and the one before quoted. The jester, singer, story-teller, jolly companion, our poor Doctor, is made to behave with the same Parson Adams-like simplicity in both cases. But consider a moment the likelihood of such a series of incidents happening as here set down: Here are Typee and the Doctor, on shore, going to steal out to a ship in the little canoe called the Pill Box; now, though a craft with that name might have been deemed safer for himself by the Doctor, yet, seeing he could not swim, one would suppose he would have some misgivings, lest the two pills, or one of them, might be rather suddenly administered to the sharks, and would naturally have mentioned the fact of his not being able to swim to his companion. They had been cronies together a long while; the Doctor was a free man; he could not have been so weak as to risk his life by concealing, from mere pride, a want of ability nobody is ashamed to own, when a confession might have in part at least avoided such a risk. No, he would have told Typee, before they started, that he could not swim. "Typee, my boy," he would have said, "avast there, my hearty! Shiver my topsails, but I can't swim—can't (he could quote Hudibras) 'dive like wild fowl for salvation,' that is, to save myself. So be careful." The reader may put it to his common sense, after reading Omoo up to that page, whether the Doctor could not and would not have made known, in some way, his inability before starting—or at least after the first capsizing, when they were about to push out into deep water—and if he had, or had not, would he have "coiled himself away," as stated, and would Ty-

pee have been astonished at his docility until, at some indefinite period afterwards, Typee, sly dog, found out *the secret* was he could not swim? It would appear from the sentence, by the way, that it was Typee who never spoke; but that may be an error of the press—the book has faults enough without noticing such ones.

This analyzing a single paragraph may seem but mere flaw-picking and fault-finding, but *ex uno*, etc. we may learn almost the whole of the book, and where a single brick is sandy and crumbly, and most of the bricks in a house are so also, it is fair to exhibit a single brick as a specimen of the materials of which the house is built. Now we readily see that this little sketch of the canoe voyage represents two men in a dramatic position; one a wit, the other an oddity. We can run through fifty such incidents done up in the same way with interest and pleasure, just as we can sit through and enjoy Don Cesar de Bazan, or any other impossible compound of wit and stage effect; only we wish not to have this sort of writing forced upon us under any other than its own proper name. It is mere frothy, sketchy outlining, that will bear the test of comparison with nature as little as would scene painting or the pictures on French paper hangings. If Typee were to tell his stories as he does, in the witness box, he would be a poor lawyer who could not make it evident to a jury that they would not stand sifting; his readiness and flippancy might make a brief impression while he was giving his evidence in chief, but it would take no very rigid cross-examination to bring him into discredit.

The truest pictures of nature will bear examination by a magnifying glass; but a painter is not expected to give daguerreotype likenesses. Neither is a writer of narrative expected to put in all the incidents of a matter; for the history of the most tedious day of our common life would fill a folio; but he is to follow nature so far as he can and so to suggest the rest that we shall seem to see the actual as he saw it. This there are many ways of accomplishing. Some writers go far into detail and yet are full of the truth-seeing eye—the imaginative power; others have this power with less of detail. Shakspeare could paint a whole landscape, yea, and make it more vividly real than even if it were depicted on

canvas, in a few lines. "The heaven's breath smells wooingly here!" one can scarcely read that description of Macbeth's castle without inhaling the breath, as in walking over the brow of a hill in summer, when the wind blows upward from new-mown meadows. De Foe is the commonly cited instance of excellence in the other or detailed style of descriptive writing. We have all taken the walk with him where the brook flowed "due East" and the whole country seemed like "a planted garden," yet the spell that was over us while we wandered into that delicious region, was not one that operated by startling flashes, but by a steady, constant influence—the low murmuring music that as we read on in him is ever falling with a gentle lull upon the mind's ear.

Now in either of these kinds of description, a writer who affects us as true, must have the *truth in him*; that is, he must have the ideal in his mind which he would paint to us, and must draw and color from that, without being led astray either by his chalk or his colors. He must mean to describe faithfully what is before his mind's eye at the outset, and must so control his fancy and so use his language that neither shall mislead either himself or his readers, aside from his purpose. In this tedious process of writing and compelling the fancy to dwell upon far-off scenes, despite the temptations of the present, despite the glory of nature that is around us, despite of mortal heaviness, care, passion, personal grief, what infinite trouble is it to keep the impatient spirit under due obedience! Even as we write these sentences, our thoughts are oftener away than they are upon this writing; somewhat has come over us with years, it matters not what, so heavily that we can no more lose ourself, as the phrase goes, "in our subject." Other minds may be more happily constituted, but one may observe that those who trust their fancy most and yield to it farthest, are most liable to be led astray by it. It is only the great poets who seem to acquire control in and by the very tempest and whirlwind of their passion. With what perfect recklessness, yet what perfect self-possession, wrote our Shakspeare and Milton! Flight after flight, bolder than was that of him who was borne of Dedalian pinions, is dared and accomplished till it seems as if their will were almost god-like, and gave birth to power. Many

times in running through a play of Shakspeare hastily, we have felt the same feeling that we experienced in hearing one of HANDEL's mighty chorusses—a kind of mysterious awe at the near presence of such terrible, burning strength; to read the glorious comedy of "As you like it" rapidly, for example, affects us like going into the engine room of one of our great Atlantic steamers, when she is just starting (a homely comparison and one the reader is welcome to smile at if he cannot understand)—or standing by a railroad track when a heavy train is passing—any such exhibition of irresistible force and motion. This feeling we have when we let the play rush through the mind—thought crowding upon thought and all glowing and sparkling; but in the midst of this fiery tumult, if we read more carefully, the great genius as smiling and placid as the expression of the bust we have of him would tell us he was; full of playfulness, delicacy, gentleness. O for such mental discipline. But all the mathematics in all the colleges in New England could never teach it.

Nor shall we be likely to learn it of the author of Omoo. For this control and discipline of the fancy seems to us just wherein he fails. He has all the confidence of genius, all its reckless abandonment, but little of its power. He has written a very attractive and readable book, but there are few among those who have an eye for nature and a lively fancy, but who could write as good a one if they had the hardihood—if they could as easily throw off all fear of making the judicious grieve. Were he put to his confession, there is no doubt but he would own that, in drawing pictures, he does not rigidly adhere to a fixed image, something that he has seen or remembers; that he does not endeavor to present his first landscape in a clear, strong, rich light, but often, as his narrative grows road weary, lets it throw the bridle rein of strict veracity on the neck of his fancy, and relieve itself by an occasional canter. At any rate the passage we have quoted, and hundreds of others, are quite as satisfactory evidence that he does so as would be such an admission.

But let us thank the author for the good he has given us before further considering the bad. We have more sympathy with recklessness than with obedient diligence, since it is the rarer and more difficultly combining element of a



great soul. A man who seems to write without the least misgiving—who dares the high with a constant conceit—will carry his point where a modest one, with ten times the inert strength, shall fail. There are men that can live years and ruffle it with the gayest, eat, drink and wear of the best, and owe whomsoever they please, by mere force of countenance, while a nervous one, whom a lady's eye abashes, may be either starving in a garret, or slaving for the ambitious, who catch him with the chaff of friendship. We confess we have more respect for your Brummells, than for your Burritts, that eat their way up in the world by devouring lexicons. The latter are good creatures in their way, to be sure; they do all the hard work for us and deserve to gain all they strive after; nay, we do not object to a modest man, for a small party, but at all times and places, we most especially admire impudence—admire—the word is not strong enough—we “cotton” to it; we envy it!

And if the reader sees the spirit of envy coloring this article, let him attribute it to this feeling. We do most heartily envy the man who could write such a book as *Omoo*, for nothing disturbs his serenity in the least; he is always in a good humor with himself, well pleased with what he writes, satisfied with his powers, and hence never dull. It must be owned he has some ground for complacency. He exhibits, on almost every page, the original ability to be an imaginative writer of the highest order. Some of his bits of description are very fine, and that in the highest and most poetic way. For instance, this of the Bay of Hannamanoo:

“On one hand was a range of steep green bluffs, hundreds of feet high; the white huts of the natives, here and there, nestling like birds' nests in deep clefts, gushing with verdure. Across the water, the land rolled away in bright hill-sides, so warm and undulating that they seemed almost to palpitate in the sun. On we swept, past bluff and grove, wooded glen and valley, and dark ravines lighted up, far inland, with wild falls of water. A fresh land-breeze filled our sails; the embayed waters were gentle as a lake, and every blue wave broke with a tinkle against our coppered prow.”

Now, though “palpitate in the sun” is not a comparison that would spring up naturally in the mind of any but a wit, and though if the land-breeze blew fresh,

the Julia would have carried a “bone in her mouth,” instead of the waves tinkling against her prow, as they might do in a calm, yet, as we read fast, this is a fine little view. Another paragraph contains an example of the good things scattered through the book, and is still better. The author writes: “Concerning the cock-roaches in the fore-castle, there was an extraordinary phenomenon for which none of us could ever account. Every night they had a jubilee. The first symptom was an unusual clustering and humming among the swarms lining the beams overhead, add the inside of the sleeping-places. This was succeeded by a prodigious coming and going on the part of those living out of sight. Presently, they all came forth; the larger sort racing over the chests and planks; winged monsters darting to and fro in the air; and the small fry buzzing in heaps, almost in a state of fusion.”

There is no doubt about the excellence of the exaggeration in this last line; it is “*maitai*”—the buzzing out-Bozes Boz. Nor will any one who has ever visited the between-decks of an old whaler, just after she has been smoked out, be disposed to deny the truth of this story.

There are hundreds of such happy expressions in *Omoo*, and as many passages of description as good, or better, than that we have quoted. It is an ably written book; so good, in fact, (in point of ability, we mean—of its moral tendency we shall speak presently)—that we are not pleased with it because it is not better. The author has shown himself so very capable of using a great style, and comes, at times, so near excellence, that we feel disposed to quarrel with him for never exactly reaching it. He is bold and self-contained; no cold timidity chills the glow of his fancy. Why does he not, before abandoning himself to the current of Thought, push out till he comes over the great channel of Truth? Or, not to speak in a parable, why does he not imitate the great describers, and give us pictures that will bear dissection, characters true to themselves, and a style that moves everywhere with the same peculiar measure?

Alas, *Omoo* finds it easier to address himself to the pit of the world than to the boxes. His heart is hard, and he prefers painting himself to the public of his native land as a jolly, rollicking blade—a charming, rattling, graceless ne'er-do-well. He meets no man, in all

his wanderings, whom he seems to care for—no woman whom he does not consider as merely an enchanting animal, fashioned for his pleasure. Taken upon his own showing, in two volumes, and what is he but what a plain New Englander would call a “*smart scamp*?”

The phrase is a hard one, but it is certainly well deserved. Here is a writer who spices his books with most incredible accounts and dark hints of innumerable amours with the half-naked and half-civilized or savage damsels of Nukuheva and Tahiti—who gets up voluptuous pictures, and with cool, deliberate art breaks off always at the right point, so as without offending decency, he may stimulate curiosity and excite unchaste desire. Most incredible, we style these portions of his stories, for several reasons.

First: He makes it appear always, that he was unusually successful with these poor wild maidens, and that his love-making was particularly acceptable to them. Now, if this had been so, we fancy we should have heard less of it. A true manly mind cannot sit down and coin dramas, such as these he gives us, for either others’ delectation or its own. It is nothing new to hear conceited men boast of their perfect irresistibility with the sex. “Oh, it is the easiest thing in the world,” we remember, one of these gentry used to say, *a la Mantalini*; “a woman is naturally cunning, now only you keep cool and you’ll soon see through her; a man must look out for himself, a woman for herself,” &c. This very person, as we happened to know, through a confidential medical friend, could no more, at that very time, when his conversation was in this lofty strain, have wronged a woman, than Charteris could have committed the crime for which he was hung. Since then, and confirmed by various other experience, we have always doubted when we hear a man, especially on a short acquaintance, and most especially in a book that goes to the public, pluming himself on his virility—letting it be no secret that he is a “very devil among the women.” Once, at a refectory in —, we were supping with a friend, when, the tables being full, there came a little, long-necked, falling-shouldered, pumpkin-faced young man, and took the end of ours. We exchanged a few words, and presently he dashed, without previous preparation, into a full confession of what he styled his “peculiar weakness,” in which, if we were to believe him, he

let out enough to show that he might have out-bidden the Satyrs, in Spenser, for the favors of Helena. Our friend, who has command of visage, drew him on till he could not help smiling at his own lies. We made inquiry, and learned afterwards that he was a sheriff’s clerk, or some such sort of thing, and that his name was Joseph.

Now, with a thousand such instances sleeping in the memory of years, we have no sort of confidence in the man who paints himself the hero of voluptuous adventures. Suppose any one of us—you or I, gentle reader—had been through the scenes Omoo depicts, we might—yea, even the best of us—have done as badly as he represents himself to have done; cast away from home and country, drifting about on the rim of the world, surrounded by license, and brimfull of animal health, we should very probably have made sad deviations from the “path of rectitude,” but should we have come home and *told of it*? On the contrary, we should have kept as dark about the matter as possible; and nothing but some overmastering passion or motive could ever have made us reveal it. Native manhood is as modest as maidenhood, and when a man glories in his licentiousness, it raises a strong presumption that he is effete either by nature or through decay.

And this remark leads to our second reason for doubting the credibility of these amours. Taking the evidence of imbecility afforded by the reason just given, in conjunction with all that Omoo would have us believe he did (for he does not speak out in plain words like old Capt. Robert Boyle), and it cannot be possible, without Sir Epicure Mammon’s wished-for elixir, that he could have the *physical ability* to play the gay deceiver at such a rate among those brawny islanders. This body of ours is very yielding it is true, and if a man resolutely sets his mind to imbrute himself he may go a great way; but a half year of such riotous life would have sufficed for one so proud of his exploits (if, indeed, this very display is not rather the result than one of the causes of a *blasted* condition—perhaps it is both).

Thirdly. We do not believe these stories, for the reason that those poor savage maids could not possibly have been such as Omoo describes them; they are not half so attractive. We have seen the drawings of Catlin, the elaborate French

engravings of the South American Indians, Humboldt, Deprez, also some of New Zealand and those of our Exploring Expedition, and never yet saw we a portrait of a female half so attractive as the dumpy Dutch butter-woman that walks our markets. Time out of mind we have heard whaling-captains dilate on the Marquesan beauties, but we always reflected that they appeared under peculiar advantages to the eyes of rough men just from long, greasy cruises, being somewhat negligently clad and without any of the restraint of civilization. Omoo may titillate the appetites of many of his readers by describing how he swung in a basket for hours at Tahiti with "some particular friends of his," but he touches us not a jot. He is quite welcome to his "particular friends," they are not ours. The next stout boat-steerer that came along, with a rusty nail or a shred of an old bandana handkerchief, would disturb, we fear, our domestic felicity—knock us out of the basket, and go to swinging himself.

It seems necessary nowadays, for a book to be vendible, that it be venomous, and, indeed, venereous. Either so, or else it must be effeminate—pure, because passionless. The manliness of our light literature is curdling into licentiousness on the one hand and imbecility on the other; witness such books as Omoo, and the namby-pamby Tennysonian poetry we have of late so much of. Hence, authors who write for immediate sale are obliged to choose their department and walk in it. In some cases it is possible some have assumed vices which they had not, and in others affected an ignorance of temptation which was by no means their condition. We are willing to believe that Omoo is not so bad as he would have us think. He is merely writing in character, and it seemed necessary to pepper high. He may have more heart than he exhibits; and in a few months, when the last edition of his books has been sold, and all the money made from them that ever can be, he may repent him that he did not aim nobler. At the worst, he is no such chief of sinners that we need single him out for special condemnation. Have we not Don Juan? Is not the exhaustless invention of Gaul coining millions out of "nature's frailty?" When we consider the crimes of some of the modern novel-writers, Omoo seems but a "juvenile offender."

But we must not deal too leniently with him neither. That he is a Papalagi whose heart is set in him to do evil, appears no less by his glorying in his misdeeds, than by the spirit he manifests towards the Christian teachers of those ignorant pagans, whose vices he did all in his power to foster. The *blue shark* is on his forehead, and he is as palpable a barbarian as any tattooed New Zealander we ever saw stumbling, with jacket wrong side before and feet that till then never knew shoe, through the streets of New Bedford. He hates the missionaries. This is evident whenever he has occasion to mention them, and wherever there is room for a covert sneer at the little good they have accomplished. He was evidently afraid of them. It does not appear that he sought their acquaintance; but, from his whole way of speaking of them, the reader will not fail to gather the impression that he kept out of their way as much as possible. The spirit which he manifests towards them is what we should expect him to exhibit after his displaying his success with the damsels, "his particular friends." But the two spirits neutralize each other. A native of a Christian land, well-educated, and with a fair reputation for truth and veracity—that is to say, any man in his senses, with the common feelings of humanity, and worthy of belief, would have endeavored to make himself known to the missionaries, or indeed to any one in that remote and isolated spot who could speak English; on the other hand, a man who, under those circumstances, should not endeavor to make himself so known, but should prefer to associate with the savages, ought not to be entitled to credit when he speaks slightly of the results of missionary labor. That the missionaries have not done all things as wisely as they might, had they known more; that they have been, and are, in many respects wrong and in error, may be very true; but Omoo is not the man to tell us so. He, who, by his own confession, never did anything to the islanders while he was among them but amuse himself with their peculiarities and use them for his appetites, is not the one to come home here and tell us the missionaries are doing little or nothing to improve them. All he did tended to make them worse, and it would be out of character if he should have now a benevolent purpose in so coloring his narratives

as to make it appear that the missionaries are making them no better.

We are ourselves forced to believe the accounts of the good the missionaries have effected in far countries exaggerated. We cannot help thinking that in general, the men who most frequently abandon home and country and volunteer to spend their lives in teaching Christianity and civilization in those benighted lands, are not the best who might be selected out of enlightened society at large. Some that were our classmates and contemporaries in college, are now, and have been for years, preaching to heathen nations in the far corners of the earth, and certainly, they were men, as we remember them, of all others, least likely to understand the untutored savage. They came from the workshop, and were educated by public societies; their minds were narrow; they had no tact; late in life they became suddenly religious, and in all their intercourse with men thereafter, they were right and others wrong. How well we remember some of them. Redhaired B——, as the students called him—a shoemaker, reclaimed from his way of life at the age of thirty-five—the most disagreeable man out of two hundred, opinionated, small, conceited, solemn and rigid; he milked the President's cow, studied hard, and was the terror of all the mirth-loving in the University. He is now, we believe, in Burmah. What such a man can do among the Hindoos, it is difficult to conceive. For there never was a *yankee* more inveterately bigoted to his own ways, and the ways of his own little sphere, in the whole world. We might particularize many more, and so vivid is our remembrance of many, and so strong our conviction that they were very, *very* far from being the best men that should be sent to spread the blessed influences of our religion among the nations who sit in darkness, that we should, we fear, in enlarging upon the subject, so far from exciting suspicion of any prejudice in favor of the beneficial effects of missionary enterprise, offend many of our readers by appearing to think too lightly of it.

Still, unsuitable as many of the teachers are who go out among the heathen, narrow, unreasonable, and unphilosophical, as may be their modes of conversion, and notions of goodness, they are at least sincere in their purpose of doing all the good they can. The poor natural-minded dwellers in the isles of the sea

may not happily, perhaps, be able to comprehend the sombre metaphysics of their teachers; but all that is most needful in them, all that leads to a better daily life, they can follow. They can have faith; they can be educated to know that the sins prohibited in the ten commandments are wrong; they can be taught many of the arts and a little of the refinement of civilization. Surely, the missionaries, they must see, mean better for them than do such wanderers as Omoo, and though the new ways are hard to conform to, they cannot be so ignorant as not to perceive that in general they are good. If but here and there one of a superior mind catch some glimpse into the sublime heavens of a future spiritual life, it is sufficient to be weighed against whatever mistakes their teachers may have fallen into.

In fine we cannot help believing the missionary influence to be much more beneficial than this book represents it—perhaps it is true that the lower orders of the people are afraid of the missionaries; the missionaries may have found it necessary to keep them so. Perhaps the whole condition of the people of Tahiti is still very bad, yet we will not believe it to have been so bad as he makes it appear, (alas, the island is now in the hands of the French!) We have ample ground for discrediting his evidence, from his own admissions, from the spirit he everywhere manifests in giving his testimony, and from the unreasonableness of his statements. It is to preserve the poor barbarians as much as possible from such as he tells us he was that the missionaries remain exiled among them, and all that they ever did learn of good has been through those pious, or it may have sometimes been fanatical, instructors. However defective the teaching, however misguided the enthusiasm, that has aided this work of benevolence, we cannot but have some confidence in the sincere endeavors of honest men. Seen through the pages of Omoo, the missionaries affect us like some mysterious baleful *presence*, some invisible power that delights in exercising arbitrary sway over the poor natives, without any adequate motive—it cannot be so. Men do not change their natures by sailing a few thousand miles over the rotundity of this orb. The missionaries did not go there to harass and torture people, and it is not in the nature of things to suppose that the climate affects their brains and

Oh yes, I do!



turns plain men and women into absolute fools. The contact of savage with civilized life, is always the worse for the former, and no nations have ever suffered more severely than the unfortunate Polynesians; it is a duty the enlightened of the earth owe those whose bodies they have poisoned with their fell diseases, to do all that can be done for their souls. Let us, therefore, have other subjects for satirical writing, than missionary ill success.

We have now finished the most of what seemed necessary to be said concerning Omoo. We first examined its merits as a piece of description, then considered it more especially with reference to its spirit, in what it leaves us to infer of the writer's intercourse with the natives, and what he tells us of their religious condition. We have felt obliged, as a conservative in literature, (and what true lover of literature is not one,) to say many severe things—the more severe, because they are against the tone and spirit of the book, and therefore apply more directly to its author. But if the reader will observe how cautious we have been to praise all that is good in the book, to the extent of making our article wear two faces, he will not suspect us of any malicious design. And if he will read the book itself, we have confidence that, notwithstanding all the extravagant encomiums it has received from the press, he will be ready to admit that we have not been studying to say the worst things of it that might be said, but only to estimate it fairly. The result of all we have said only brings us back to the remark with which we commenced, viz: that Omoo is a book one may read once with interest and pleasure, but with a *perpetual recoil*. It is poetically written, but yet carelessly, and in a bad spirit. Of the truth of this general estimate of its merit the reader will judge for himself.

But there is one more point, before leaving it on which a word or two may be said, with some chance of good effect. Some of the notices of it in the papers require a little notice themselves. Here, for example, is one from a Boston Daily:

"It has all the attractiveness of a book of travels, abounding in passages of wit, romance and poetry, and written with all the mellow elegance of style that characterized the author's 'Typee.' It cannot fail to be popular, and while in some respects, it resembles Mr. Dana's 'Two Years before the

Mast,' it is a much more racy and captivating work."

Now it is not the business of a reviewer to furnish people with understanding, nor to teach common plain truths, upon which every reader ought to have clear and fixed opinions. But in this enlightened age, we have constantly observed a writer is in much danger of overrating the knowledge of the public. Here are many editors in various parts of the country, whose opinions would seem to be no clearer than those expressed above; they are men of some education; they read reviews; hence we hope the judicious will not feel grieved if we vouchsafe a word for their instruction. Briefly, then, Omoo is no more to be compared to Mr. DANA's book, than is a rickety, ill-built cottage, such as we have plenty of in the vicinity of the city to a substantial mansion of fair proportion, such as one may catch glimpses of on distant hill-sides, when the cars are at speed. It is unfinished and unfurnished, wanting uniformity, tawdry, and comfortless. The portraits and pictures that hang on the walls are but daubs compared with the faces and landscapes in the other. Omoo has plenty of daring and recklessness, but not that steady, manly courage which would enable him to master an easy, rich flowing descriptive style. He flies like a lapwing; is always rising and falling; we cannot feel secure with him. His best descriptions, though clear and vivid, will not bear close inspection, and do not seem colored with truth. But in Mr. DANA's narrative, it is not possible to doubt a single statement; we have heard it more praised for that quality than for any other, and that by competent judges; once in particular, at Edgartown, two summers ago, we remember with what emphasis a retired whaling captain said to us: "I have been all up and down that coast, and every word in that book is *true*." Yet those who are capable of judging of style will see that its truth, its first, greatest, and best quality, is by no means its only excellence. It is a finished work of art and every page shows the trained mind and the manly intention. The style is plain at first, but, as the narrative proceeds, rises almost imperceptibly to eloquence, and to poetic effects of a far higher order than the dashy paragraphs of Omoo.

But, unfortunately, what Omoo says in one place of the Tahitians and the

missionaries has too much application to our public and himself. "The Tahitians," he observes, "*can hardly ever be said to reflect*; and so the missionaries give them *large type, pleasing cuts*, and short and easy lessons of the primer." He has himself evidently profited by his observations of the missionary system, and his success shows that large type and pleasing cuts, indifferently executed, are no less attractive here than at Papeetee. An elaborate, quietly-written, artist-like work, will be rated by the general in the same catalogue with one that is a mere sketchy thing of the hour. It is very true, and one may see it in other arts, as well as in writing, that it is only the coarser parts of the most refined works that are understood, and that one who chooses to obtain credit, with the vulgar, for excellence, may always do it if he will resolutely set his face backward. Time, however, is a great purifier, and it is refreshing to think how sure the world is, in the end, to find out the true and beautiful, and how tenaciously it clings to them when they are discovered.

We had intended, when we began this article, to have expatiated, somewhere in

the course of it, upon the glorious landscapes of those fair islands we all love to read of so well, and to have examined why it comes that the fancy so loves to roam among them. We meant to have enlarged upon the various respects that make calamity of life to poetically-disposed people in this wretched world of enterprise, and then to have observed how naturally we turn to a region of better promise. But this would have been forgetting that the actual world is much the same everywhere, and that here, although we may be unblest with hope and happiness, in mind, body, or estate, we are, on the whole, better off than we should be there; and we leave all such reflections to the reader, who, perchance, may never have been so wrought upon as to discuss with himself whether it were not better to turn renegade to civilization, and to whom, therefore, our speculations would seem but mere sentimental melancholy. We had rather he should rejoice with us at parting; there is cause to be merry; the sun is yet high, and the green fields and woody hills of West Hoboken are waiting for us. G. W. P.

### CHIEF-JUSTICE SMITH.

It is not until recently, amid the press of various engagements, that we have found time to glance over the handsomely printed pages of the "Life of Jeremiah Smith," drawn up, from authentic materials, by his kinsman, the Rev. Mr. Morison.\* The high character of Judge Smith, as a jurist and statesman, was well known and appreciated beyond the narrow confines of his native State; and his biographer, although a relative as well as friend, appears to have done no more than simple justice to his memory. We therefore welcome Mr. Morison's book as a valuable contribution to a department of literature greatly neglected in this country, or, what is worse, grossly mis-appropriated. Of good biographers we have very few. Biographia Americana is yet to be written. Works we have, unfortunately, which are imperfect

and incomplete: garbled to suit the views sometimes of the biographer, sometimes of the party for whom he writes; presenting only one side of the picture, the light without the shade, and often degenerating into indiscriminate eulogy. Of such books we have a plenty, touching the lives and characters of men who really deserve remembrance, but whose memory is crushed beneath a load of panegyric, heartless as the cold inscription upon a lying monument. And we have scores of books annually thrust upon the public—"sacred to the memory of" country parsons, or village doctors, "whose fame has spread full twenty miles around." Nearly one-third of the only book that vaunts itself as the American Biographical Dictionary, is occupied by sketches and eulogies of men who have no claim to the remembrance

\* Life of the Hon. Jeremiah Smith, L.L.D., Member of Congress during Washington's administration, Judge of the United States Circuit Court, Chief Justice of New Hampshire, etc. By John H. Morison. 12mo. pp. 516. Boston, Little & Brown. 1845.

of the world at large—who were perhaps honest as the world goes, devout in their several modes of faith, or skillful in relieving the ills that flesh is heir to—well enough in their proper places, but undistinguished above their neighbors, except by the poor notoriety which a scrap-book biography may chance to give. Strike from our biographical collections the long list of names of this character, and we would still present, for a young nation, a roll of great and good men, which may go far to excuse the national vanity of which we are sometimes rather unceremoniously accused. Add to our written biography the lives of some truly great men, whose history has been strangely neglected, through party violence or sectarian prejudice, and the vanity to which we have alluded might have just grounds for all its amplitude.

We knew Judge Smith of New Hampshire, although forty years our senior. We have seen him in the prime and vigor of his days, at the bar, on the bench, and in the chair of state; and his history is familiar to us. His family was distinguished for energy of character. His father and maternal grandfather were of the number of Scotch Presbyterians who abandoned their little colony in the north of Ireland, and sought a refuge from persecution in "the land where liberty dwells." They were of a hardy and stalwart race, distinguished for personal activity, industry, and thrift. They formed settlements at Londonderry and other places in New Hampshire, and were the first who introduced the manufacture of linen into New England. They were the first, also, who introduced the culture of the potatoe into New Hampshire.

The grandfather of Judge Smith, who died at Peterborough in 1776, at a great age, was among the sufferers in the celebrated siege of the city of Londonderry, and used often to recount the horrors of that siege. "He used to tell of watching for hours at a mouse-hole, in the hope of catching a mouse for food; and he most eloquently described the intense anxiety they felt in the city, when, after nearly two-thirds of their number had died of hunger, they saw a frigate coming to their relief; the sinking of the heart when twice she had vainly tried to break the boom which had been thrown across the river; and then the violent change from despair to the frenzied bewilderment of joy, when, at the third at-

tempt, she finally succeeded and came up, bringing food to the starving inhabitants."

The father of Judge Smith is remembered as a "modest, discreet, and devout gentleman. No man in the infant settlement was more respected for the substantial qualities of mind and character. He was a justice of the peace, and, in 1774, a member of the first Provincial Congress in New Hampshire. In 1751 he married Elizabeth Morison, a woman of energy and spirit, and an excellent manager of household affairs, notwithstanding she could "keep the scold a-going." As an illustration of the simplicity of their mode of life, it is mentioned that "two silk gowns which Mrs. Smith had before she was married, were the only ones she ever owned, and are now in the possession of her grandchildren. She never wore them, even to meeting, except on sacrament days, and when her children were to be baptized. Her linen aprons, the only article of finery worn by herself or daughters, were washed and plaited once a year. They were carried in the hand, put on as they were entering the meeting-house, and folded up in the last singing."

All the brothers of Judge Smith who lived to man's estate, were distinguished for their intellectual powers; and yet our biographer says, "If we may trust one who knew them fourscore years ago, there was not a more uncouth, impudent, hungry-looking set of lads in the town of Peterborough. They were great workers, and put to work almost as soon as they could walk. It was not an easy thing to provide food for seven such boys. To this day, in their native town, it is told, as the reason of their being so sharp-witted, that on returning one night from some frolic, they in the dark seized upon and devoured what they supposed to be a dry codfish; but their mother, the next day, wishing to make a cheese, was in great distress at the loss of her rennet!"

The career of Judge Smith was not distinguished above that of some of his cotemporaries in the Granite commonwealth; but possessing the shrewdness and sagacity characteristic of the true Scot, and a native vivacity, united with colloquial powers of the highest order, he acquired a wide influence in the councils, and among the people of his native State, and for a long period was the best living exponent of the faith and creed of

the long dominant political party, to whose original principles he adhered through life. He was a *federalist* of the school of Washington. It is principally in relation to his connection and influence with that party in New Hampshire, and the salutary judicial reforms which he was instrumental in effecting, that his history becomes interesting. The principal events of his life may be summed up as follows:

JEREMIAH SMITH was the fifth of seven sons in a family of ten, the children of William Smith, one of the first settlers of Peterborough, New Hampshire. He was born the 29th November, 1759, bred to the hardy and health-giving pursuits of agriculture, trained up in reverence for the ordinances of religion in the spirit of the early Presbyterians, and in early childhood imbibing the love of books, soon exhibited acquisitions far beyond those of his brothers, and other children of his age. His memory was retentive, in a remarkable degree, and the good minister of the place having occasionally listened in surprise to his prompt recitation of whole chapters in the Bible, at once conceived the idea that Jerry, as he was called, must be sent to college. "This boy," said he to the father, "must be made a minister, and you must bring him up to college." Thus by degrees it came to be understood in the family that he was to be educated for the ministry. He entered Harvard College in 1777. His academical preparation had been in part pursued at Hollis, in the family, and under the tuition of the clergyman of that place, who was a sample of the old Puritan stock, and professedly rigid in all customary observances. The annual fast-day in New England, which has been observed in the spring of the year from the first settlement of the country, was observed in olden time in literal abstinence from all food. The good clergyman of Hollis taught his congregation, and in his family professed to observe this rule. One evening before fast-day, one of his fellow-students said to Smith, "You had better lay in a good stock, for you will get nothing to eat to-morrow." He did not heed the warning; but when the next morning came, there were no signs of breakfast. He went to church, and came home half-starved and angry, as hungry lads are wont to be; but his anger and disgust could scarcely be restrained, when, through the half-open

door of the best room, he saw his reverend teacher devouring drop-cakes and custards! Judge Smith, in after life, used to relate this incident, and the deep impression it made upon his youthful fancy, as illustrating the difference between profession and practice, and how much easier it is to make pretences of pious living, than to live a holy life. From this hour his mind was prejudiced against entering the clerical profession.

When the news of Burgoyne's invasion reached New Hampshire, young Smith took it into his head to enlist for a two month's campaign in a company of volunteers from New Ipswich and Peterborough, commanded by Captain Stephen Parker. While on their march to join the army, a part of the company, under the command of Lieutenant Samuel Cunningham, fell into an ambuscade of tories. Cunningham, who was a man of address and courage, and who had the voice of a stentor, called out in loud tones to one of the officers to flank the enemy with his reserve, when the tories, supposing themselves to be outnumbered, precipitately fled. Young Smith fought bravely in the ranks at the battle of Bennington, got a scratch by a musket-ball in the neck, and with it enough of military experience. He used to say that the music of musket-balls he had no disposition to hear a second time.

After remaining two years at Harvard, Mr. Smith was entered at Queen's (Rutger's) College, in New Jersey, where he was graduated in 1780. Returning to Peterborough, he was for a long time deliberating as to his choice of a profession, and finally, in 1782, decided upon the study of the law. In the mean time he had busied himself in rural pursuits, and had so ingratiated himself with the people of the town, that in January, 1782, they elected him a delegate to the convention for adopting their State Constitution. He commenced the study of his profession at Barnstable, Massachusetts, afterwards taught school to recruit his finances, and completed his law studies at Salem. He was admitted to the bar of his native county in the spring of 1786. He was met at the threshold of his professional career by an opposition as singular as it was illiberal, but which nevertheless served to put him at once upon his mettle.

The bar rules of those days were more stringent than in later times, and the old lawyers, who were disposed to



think themselves entitled to a monopoly of the business, did not choose to treat with much favor the applications of new candidates for admission to the bar. After a rigid examination, however, Mr. Smith was found to be fully qualified in his studies; and after a good deal of shuffling it was found that the only objection that could be made was, that no certificate had been filed showing that his studies of the law had been for the full period required for admission to the bar. It was now the last day but one of the term, and the bar, unwilling to favor a new rival, rejected his application. Smith, determined not to be foiled by his opponents, who he knew had been more than usually rigorous, in his case, in enforcing the letter of their rules, immediately withdrew from the court-house. In less than half an hour he was on his way, on horseback, to Salem, where he procured the necessary certificate, and, by riding hard all night, returned to Amherst before the assembling of the bar on the next day, having the "evidence in his pocket" of his consecutive studies. He now applied for another meeting of the bar, but his request was haughtily refused. Conscious that he had now complied with the letter of the rules, and determined not to submit to what he looked upon to be a gross wrong, Mr. Smith promptly appeared before the court, and stating to their honors in respectful tones the treatment he had received from the bar, craved the interposition of the court. The judges at once, and unanimously, ordered his name to be enrolled as an attorney. This was a triumph to the young aspirant, and the story getting abroad, made him many friends among the people. The rage of the old lawyers was without bounds, and they scarcely refrained from insulting the court, in their desire to humble the young lawyer from Peterborough. But a speedy triumph awaited him. He went fresh and vigorous into the midst of his profession; the very next term gave him a full docket; he rose at once to the head of the profession in his native county; and the very men who had opposed his admission to the bar, were compelled to employ him to argue their causes.

Mr. Smith, from 1788 to 1790, represented his native town in the General Assembly of the State, and performed a valuable service upon a committee for revising the laws of the State. In 1792,

he was an active member of the convention which revised and perfected the Constitution of New Hampshire, which has to this day remained without change; for during the wild career of radicalism, which threatened, for a time, to set adrift all the cherished interests of the State, the people—to their praise be it said—still adhered with fondness, as the sheet anchor of their safety, to the good old Constitution of 1792. That the truly conservative principles of that excellent charter should have been preserved, unimpaired, during the disorganizing and corrupt state administrations which followed the advent of Jacksonism in 1829, is indeed a marvel, and we regard it as a pregnant sign that the people of New Hampshire, in a strong and steady majority, will ere long be found ranged with their natural brethren, the Whigs of the indomitable North.

Mr. Smith's political career commenced under the first administration of Washington. He was elected to the first Congress in 1790, and was a member of the second, third and fourth Congresses. He was a useful representative, observant, and faithful to his constituents and the country. When the two great political parties which originated on the adoption of the federal constitution, began to assume a bodily form in Congress, Mr. Smith was found with those who supported the Constitution, or the Federalists, as they were called, in opposition to the Anti-Federalists, or Democracy, which title the latter party assumed after the opening of the great drama of the French Revolution. He was the personal and intimate friend of Fisher Ames, and of Calcut, Gore, Harper, and others; and kindred views and associations soon placed him on the most pleasing footing with Jay, Hamilton, Marshall, Wolcott, and others of the great men of his time. He was honored with the respect and confidence of Washington and Adams, and continued to advocate, through life, the principles which he had heard expounded from the lips of the Father of his country.

Towards the close of the year 1796, Mr. Smith was chosen, almost without opposition, for the fourth term in Congress; but in July, 1797, having received from President Adams the appointment of U. S. Attorney for the District of New Hampshire, he resigned his seat in Congress, and settled at Exeter. Professional business poured in upon him, and public

honors followed him. In 1800, he was appointed Judge of Probate for the county of Rockingham. On the reorganization of the United States Courts, at the close of Mr. Adams' administration, Mr. Smith received the appointment of Judge of the Circuit Court of the United States. He entered with zeal upon his new duties, and was fast acquiring a high reputation as a jurist, when a new organization of the courts, after the accession of Mr. Jefferson, made for the express purpose, among others, of getting rid of what were termed the "midnight judges," left him out of office. He returned again to his practice at the bar.

Scarcely had Judge Smith closed his business as Circuit Judge, and re-opened his office at Exeter, before he was tendered the appointment of Chief-Justice of New Hampshire. The salary at that period, attached to this high office, was eight hundred dollars only, not a fourth part of the income which a lawyer of his standing could then command at the bar. He therefore, after mature deliberation, decided to decline the appointment, unless he could be assured that the Legislature would increase the salary. That body was soon to be in session, and the Governor held the commission in abeyance, until their pleasure could be known. It is worthy of note, as showing the estimate at that time placed upon the character and attainments of Judge Smith, that the Legislature, though the majority was opposed to him in their political opinions, raised the salary immediately to \$1,000, and soon afterwards to \$1,500 per annum. He entered upon his duties in September, 1802, and remained Chief-Justice until chosen to the Chief Magistracy, in 1809.

Party spirit in New Hampshire ran high, from this period until the close of the war in 1812. The high character of Chief-Justice Smith could not shield him from the fiery ordeal, when he came before the people as a candidate for office, and in the following year, the republican party succeeding under the ticket headed by JOHN LANGDON, Governor Smith again returned to the practice of his profession. His loss from the bench, where he was popular, was everywhere felt, and the weakness of the court which succeeded, was openly complained of by the people. In 1813, the federal party was again thrown into power in the State, and acting upon what they supposed to be the wishes of the people, adopted one of

those radical and violent changes, which often prostrate a political party. The laws which established the "Superior Court of Judicature" were repealed, and an act passed creating the "Supreme Judicial Court of New Hampshire." The operation of this proceeding was, to abolish the offices of the existing judges, and give to the dominant party the appointment of a new bench of justices. In making up the new bench, Arthur Livermore, who had been chief-justice of the old court, was retained as associate judge in the new, and Judge Smith, who had resigned his seat on the bench in 1809, to accept the office of governor, was again appointed Chief-Justice of the State. The remaining seat upon the bench of the new court was filled by Caleb Ellis, an eminent lawyer from the county of Cheshire.

This measure was assailed with great vigor by the republican orators and the press; inflammatory pamphlets and handbills were scattered broadcast over the State, and the popular clamor became general; not that a change had been made—for everybody admitted the necessity of a change—but at the mode of effecting it. The Constitution contemplates two modes only in which judges may be removed: impeachment, for crimes, or removal by address, for incompetency. The latter of these alternatives should have been adopted; and the cry of violating the Constitution would not have been raised. The new system, however, after some show of violence on the part of its opponents, finally, through the firmness of Chief-Justice Smith, went into successful operation, and was continued until the republican ascendancy was regained in 1816. In that year, the system of 1813 was abolished, and the old Superior Court, with some slight modifications re-established. It is worthy of note, however, that the constitutional objections, so freely urged in 1813, were wholly forgotten by the victorious party of 1816; and by refusing to restore either of the old judges with the old court, the republicans in effect justified their removal by the Federalists in 1813! We are not sure but that the radical precedent of the act of 1813, has been more than once followed by the radical democracy of New Hampshire since 1816. Men who were staunch federalists from 1813 to 1828, have since had paramount influence in the so-called democratic party of that State—and there is no class of men who

make so thorough, unscrupulous and uncompromising radicals as your renegades from old federalism.

Judge Smith returned again to the bar, and soon found himself engaged in a very extensive and lucrative practice. He followed his profession until 1820, when he retired with an ample though not large fortune. He spent the remainder of his life in a quiet and unostentatious retirement, preserving to the last his faculties unimpaired, and those high social qualities which contributed to his own enjoyment, and the happiness of all around him. In conversation, Judge Smith had few equals. To the young and old, to the belles-lettres scholar and the man of science, and, above all, to his numerous female friends, he never failed to render himself agreeable. Few were so well acquainted with the private history and correspondence of distinguished men; and to have heard him converse upon the characters of those who lived in the most important eras of English and French history, one could hardly realize that he was not listening to a fellow-actor with the very persons described. Nor was he indifferent to the character of the great men of our own time. On the contrary, he scrutinized their acts, and acknowledged their merits, and discussed the bearing of their principles with interest, fairness and good sense. Indeed, it was a remarkable trait in his character that he kept close up with the spirit of the age. He never affected to consider the times in which he took an active part, as exclusively marked by patriotism or intellect; nor did he think every departure from the track to which he was used an improvident innovation. But he read and observed, with an honest intention to inform himself of the character of all improvements; and in this respect he wisely identified himself with the present instead of pining regretfully over the past.

Judge Smith died at Dover, New-Hampshire, on the 21st September, 1842, at the age of eighty-two years. The following inscription, prepared by his friends, DANIEL WEBSTER and GEORGE TICKNOR, graces the plain marble which denotes his resting-place:

"Here rest the remains of JEREMIAH SMITH: In early youth a volunteer in the cause of the Revolution, and wounded at

the battle of Bennington; afterwards a Representative in Congress by the choice of the People of New Hampshire, and an able and efficient supporter of the measures of Washington; a District Attorney of the United States, and Judge of the Circuit Court, by the appointment of Washington's successor; in years yet more mature, Governor of New Hampshire, and twice its Chief-Justice:—He was, at every period of his life, well-deserving of his country, by his courage, his fidelity, and his devotedness to the public service; equalled by few in original power, practical wisdom, and judicial learning and acuteness; surpassed in the love of honor, justice and truth by none. He was born at Peterborough, November 29th, 1759, and lived in Exeter from 1797 till a few months before his death, at Dover, September 21st, 1842; always most loved in those circles of domestic affection where he was best known; and always a Christian, both by his convictions and by the habits of a life protracted, in extraordinary cheerfulness and energy, to above fourscore and two years."

The following estimate of the character of Chief-Justice Smith,\* making every allowance for the partiality of private friendship, would suffice to establish his reputation as a jurist, were there no other memorials left of his career in his native State.

"Judge Smith's natural powers of mind were of a high order. With an ardent and excitable temperament, he acquired knowledge easily and rapidly. After he commenced the practice of law, he always indulged himself freely in miscellaneous reading and studies; and his attainments in literature and general knowledge were highly respectable. But the chief labor of his life was devoted to the study of the law. This he studied systematically as a science. As a counsellor and advocate, he soon rose to the first grade of eminence at the bar. Although successful at the bar, he was pre-eminently qualified for the office and duties of a judge. With an ample stock of learning, in all the various branches and departments of the law, well-digested and methodized, so as to be always at ready command, he united quickness of perception, sagacity and soundness of judgment. Disciplined by a long course of laborious study, he was able to bear with patience the most tedious and protracted investigations and discussions, to which a judge is so constantly subjected. The most distinguished traits of his character were impar-

\* Drawn up by one of the greatest men of the profession of the law in New England, JEREMIAH MASON.

tiality and inflexible firmness in the performance of all his judicial duties. As Chief Justice of the Supreme Court of New Hampshire, he found a sufficiently ample field for the exercise of all his talents. Before the Revolution, little had been done in the Colony of New Hampshire to systematize the practice of law; and, for many years after the Revolution, lawyers were seldom selected to fill the bench of even the highest courts. The consequence was, that the practice and proceedings of the courts were crude and inartificial, and the final determination of causes depended more on the discretion and arbitrary opinions of the judges and jurors, than on any established rules and principles of law. This, of course, rendered legal decisions vague and uncertain—the most intolerable evil of a bad administration of justice, and but slightly alleviated by the highest purity of intention in the judges. To remedy this evil, Judge Smith labored with diligence and perseverance, by establishing and enforcing a more orderly practice, and by strenuous endeavors to conform all judicial decisions to known rules and principles of law. His erudition and high standing with the profession, as well as with the public at large, enabled him to effect much in this respect, and to his labors the State is greatly if not chiefly indebted for the present more orderly proceedings and better administration of justice.”

“With him,” says the present able Chief Justice of New Hampshire,\* “there arose a new order of things. Those members of the bar who were diligent and attentive to their business were commended and encouraged, and those who were negligent were lectured and reprimanded. There was, of course, greater preparation on the part of the bar, and greater investigation and deliberation on the part of the bench.”

Mr. WEBSTER has been heard to say, that, “having practised in many courts, beginning with that of George Jackman,† and going up to the court of John Marshall, at Washington, he had never found a judge before whom it was more pleasant and satisfactory to transact business than before Chief-Justice Smith; that he had known no judge more quick in his perceptions, more ready with all ordinary learning, or possessing more power to make a plain and perspicuous statement of a complicated case to a jury.”

He added, that, “with Chief-Justice Smith, industry in preparation on the part of counsel, research into the points of law, and a frank and manly presentation of the whole case, placing it upon its true merits, without disguise or concealment, would go as far for the maintenance of truth and justice as with any judge he had ever known.”

A brief notice of the family of Judge Smith is all we have space to add, leaving some reflections upon the history of political parties in New Hampshire, which we had prepared, for a future number of the Review.

Judge Smith was twice married. His first wife was Eliza Ross, daughter of Alexander Ross, Esq., of Bladensburg, Maryland, to whom he was married March 8th, 1797. She died June 19th, 1827. His second wife, to whom he was married Sept. 20th, 1831, was Elizabeth, daughter of the Hon. William Hale, of Dover, N. H. The children of his first marriage preceded him to the grave; and one son, born to him in his old age, survives to inherit his name and property.

Judge Smith was the last of four brothers, who all died in the same year, and within a few months of each other. The first was the Hon. Samuel Smith, of Peterborough, N. H., at the age of seventy-five; the second was James Smith, Esq., of Cavendish, Vt., aged eighty-six; and the third, Jonathan Smith, Esq., of Peterborough, aged seventy-nine. They were all remarkably shrewd, clear-headed, strong-minded men, and respected in private and public stations. Samuel Smith was a Representative in Congress in 1813. He was one of the pioneers of manufacturing industry in New Hampshire, and, like most of those who first commenced the business in New England, sunk his fortune in the enterprise. During several of the latter years of his life, he gave his attention to historical researches. Regarding newspapers as containing the most minute and reliable history of the times that can be preserved, he toiled patiently for years in accumulating and perfecting files of those he considered the most valuable. In 1836, he informed the writer that he had formed files of *eighty different American newspapers*,

\* JOEL PARKER, LL.D.

† GEORGE JACKMAN was a Justice of the Peace for Mr. WEBSTER's native county, in New Hampshire, who held a commission from the time of George the Second.



which were all systematically arranged, and were as perfect as they could be made. He had nearly completed files of almost every newspaper in New Hampshire, and also files of Boston, New York, Philadelphia and Washington newspapers. His collection at that time con-

sisted of more than *seven hundred and fifty volumes*, and we have been informed that the number was considerably increased prior to his decease. What a treasure to be laid hold of by some one of our Historical Societies!

## TWENTY-SECOND EXHIBITION OF THE NATIONAL ACADEMY OF DESIGN. 1847.

THE founders of the National Academy discovered as much discretion as liberality, in permitting its annual exhibition to be made an advertisement for portrait-painters; for they not only judged that portraits ought to be works of art, but that the walls of the exhibition-room ought to be covered with painted canvases. Only one objection, and that in the trivial matter of a name, appears in their arrangements. They should be called, not the National Academy of Design, but the New York Association of Portrait-Painters. The air of the Art Union is bucolic and rustic, that of the Academy domestic and refined. One represents the nursery, the stable, and the bar-room; the other as faithfully depicts the parlor and the concert. In the Art Union truthful pictures of the grossest and simplest forms of life attract us; in the other we are equally delighted with the airs of artificial society; both attain their true ends—they instruct while they amuse.

As the appearance of this notice is very nearly at the time of closing the exhibition, we may be permitted, without injustice to the great number of "meritorious gentlemen" whose works are in the exhibition, to mention only a few of the more remarkable pictures, with a view to some free remarks on the topic of art in general, for which they give us an opportunity.

Entering carelessly, and without a guide, we cast our eyes over a number of pieces, and, distracted among a crowd of excellences, fix the eyes at hazard on No. —, a picture entitled *Children in the Country*, by Peele. The face of the young girl has an expression of the most touching sweetness and simplicity. Her

attitude easy, but not slovenly, shows in the artist a feeling of that angelic modesty worshipped by the poets, striven for by the painters, and here, as in another picture of his,\* successfully depicted by Mr. Peele. This artist certainly has grace and feeling in an eminent degree, nor is his design deficient; it is the want of good coloring, and of clear, practised drawing, which prevents him from great popularity. His figures are not substantial—he does not seem to draw them with a feeling of their internal anatomy. He rather *maps* them down. As for his color, nothing could have less depth; it is very raw, and though correct, shows very little tone. Greuse, a celebrated painter of the last century, and who excelled in the same field with this gentleman, would consider this beautiful design of Mr. Peele's as but just begun; he would repaint the whole twice over, if we may believe Merimé,† in order to produce the greatest mellowness and depth; but the final effect would be given by all the coats, each being thinly laid on. To paint in this manner requires time, but what can be more delightful than the result?

Passing into another room, we stood opposite a picture by Mr. Huntingdon, entitled "*Folly and Devotion*." A venerable figure appears reading from the Sacred Book; Folly, a buxom lass, looks about her as if expecting admiration: Devotion, fixed by the time and the occasion, listens with downcast eyes and in a modest attitude. Mr. Huntingdon has placed himself in the first rank in choice of subject; a particular too little attended to by modern artists, if we except those of Germany. A picture dealing with human character in the general

\* The Angel's Whisper.

† Merime on Oil-Painting.

asin the work before us, requires a degree of art and knowledge impossible to be conceived by any who have not attempted it. The coloring of Mr. Huntingdon's picture, though often careless and unfinished, is agreeable and modest; by comparison it appears extremely good. He discovers a skillful use of glazings, and preserves a mellow tone.

Mr. Leutze's picture of Henry VIII. and Anne Boleyn, attracted a great deal of attention. Like his other works, it is rather composed than designed—a historical compilation on canvas; a remark not intended to detract from its peculiar excellences, but rather to distinguish it from such works as owe their force wholly to some one idea or passion; instance the Crucifixion of Raphael, or the Assumption of Titian—pictures in which the *motive* is single, and everything subordinate to a principal feature. Historical compilations, like those of Trumbull and Leutze, depend upon an inferior kind of interest, and lean more upon the observer. Mr. Leutze is here a miniature painter who designs scenes from history.

Among a number of excellent portraits by Elliot, we noticed some in which the imitation of natural hair was wonderfully successful, perhaps the most so possible; but the faces of this painter are not always clean. The complexion, for example, of the spirited portrait of Inman, is very smutty; the shadows have a look of being made with charcoal.

Mr. Page has two pieces in this exhibition, one a portrait, the other a design in the Italian taste. Both pictures discover all the excellences and defects of his peculiar method of coloring. They have a low tone, and are very yellow, apparently from the absorption of the thin coats of white with which he finishes his pictures. Mr. Page's method is well known, as he makes no scruple of communicating it. He begins by laying on a ground of red shadowed with black or blue black; a method in use by many European artists, both ancient and modern. He then produces all the effects of flesh that can be attained, with pure yellow laid over the red ground, avoiding, or only thinly coating the shadows. This yellow forms with the red a very fine orange, which is the true orange of the flesh. The finish with thin coats of white, completes the flesh tint; but, unless managed with great delicacy, leaves

it hard, and fading, though otherwise possessing all the qualities of perfect flesh. These defects may be remedied by after glazings and repetitions of processes. The method is perhaps the slowest possible, from the absorption of the outer coatings. A writer in this journal has asserted that the color will not be absorbed, being upon a white ground.\* We are compelled to differ from that opinion, by the persuasion of time and observation. The yellow coatings *will* darken over the red, and the white over the yellow, the tone of the picture lowering itself to a certain pitch, as is most evident in Mr. Page's beautiful picture of the mother and child—an exquisite work, and discovering, certainly, a genius which places its designer among the first of living artists, but in which the appearance of age is most striking, the lights having so much fallen as to destroy the half tints and impair the balance of the picture.

The portrait, by the same hand, discovers the same excellences and defects. The tone of the flesh is very low, and much yellower than in a healthy skin. The shadows are blood-red, as if made by glazing a mixture of Venetian red and vermilion, with lake;—but the shadows in the human face never have that color, there being always a veil of the paler cuticle tempering their warmth.

Yet, with all their defects, the power of these pictures is surprising; and we observed, during many visits, that they attracted a constant and serious attention from the visitors.

As it was impossible to notice, in detail, all the good pictures, much less the good portraits of the exhibition, we have spoken of the few mentioned above, rather to call attention to higher departments of painting, and the spirit discovered by the more aspiring class of artists. By the pictures of Copley and Page, who learned their art in this country, by the proper study of it in its natural principles—by those of Allston, who studied in Italy, and gathered inspiration from the great masters, we are lead to believe, that it is neither a sojourn in Italy, nor a patriotic staying at home, that will teach the painter his art. But that in either situation the man who knows his own ends, and is fired by an enduring and towering ambition, will

\* Hints to Art-Union Critics, Am. Rev., December, 1846.

inevitably succeed, if he throws himself upon the study and imitation of natural effects: not slightly or in the general, but with a minute and faithful, if necessary, with a stiff and officious, attention to the nicer secrets of color and expression.

The nature of colors, a science vaguely understood even by the most scientific—the effects of thin coats, which annihilate simple tints, and re-produce compounds of the most remarkable qualities—the effect of mixtures, inducing chemical changes, deterioration of lustre, opacity, and a vulgar dullness in some, and the reverse effects in others—the power of superficial blues, giving, ill-employed, dirty obscurity, well-employed an aerial lightness and purity—the use and choice of varnishes, a most important field of inquiry, for whose limits the work of *Merimé* may be advantageously consulted—of the change and sinking of colors by time, and the invention of methods to prevent it—of the different effects of shadows, as of pure black, browns and reds applied externally, or beneath the surface—let these topics of the art be investigated and determined, and a school of scientific and powerful colorists established among the ingenious and high-minded artists of America, nothing remains but the occasion, the subject, and the demand, for the production of great and permanent works, that shall stand without loss by the side of the best of European art.

Between the sciences and arts, there is this difference, that the first can be communicated to a dull intellect, and are transmissible in every particular by words; while in art there is a something not com-

municable, and depending on the facility and capacity of the learner. Hence, the inutility of foreign travel for artists who have not learned so much as the rudiments of painting or statuary. A young painter, who discovers that with a mixture of yellow and vermillion, and a few touches of blue, he can strike out a pretty, dashing face upon the canvas, is taken up by his friends and sent off to Italy. Arriving there he is astonished at his own presumption, and in a fit of awe falls to copying the great masters. He succeeds only in producing dull imitations of them, defective in drawing and color. "Here is a Raphael, there an Angelo," but *what* a Raphael! *what* an Angelo! These unfortunate and meritorious persons demand our pity. They are like boys, who attempting to speak can only declaim; their lessons have swallowed them up. A single grain of originality, on the other hand, occasions admiration and respect, and instantly lifts the artist into a sphere of liberty and credit. Suppose him a *Morland*, a *Murillo*, a *Constable*, a *Titian*, painting with assiduity from the *life*,—he produces for several years plain and stiff copies of the object, but exact, trustworthy, and of well-selected subjects. His works are not tainted with sentimentalism. He begins, in a manly fashion, at the lowest round of the ladder, and slowly and deliberately ascends. Such is the history of the great artists, and the great originals in most spheres. And what is an original, but a man who reproduces nature truthfully, in forms that show him to be in her confidence, and to know her beauties from her defects?

---

## ODE FOR THE FOURTH OF JULY, 1847.

### I.

Forth from the willows, where the wind  
Hath sighed its saddest note to thee,  
Where breathings of a mournful mind  
Have made thy chords in unison to be,  
Come, O my harp! and wake thy cheerful strings,  
Make of thy gladdest song a joyous birth.  
'Tis thine to listen while the spirit sings,  
And echo forth the notes to all the earth.

'Tis thine the music of the soul to hear,  
 The heaven-sent music in the poet's heart,  
 And by the wondrous magic of thine art  
 To make the strain be heard by every human ear.  
 Come from the willows, harp!—a new, new song  
 Waits on the wings of poesy to fly—

A new, new song, both loud and long,  
 Its theme, among the highest, high!

Breathe out the notes the sighing wind hath taught,  
 No longer with the waving willows mourn;  
 For lo! a joy to all the land is brought,  
 Th' expected beams the waiting hills adorn.  
 Rejoice, rejoice!—make every heart rejoice!  
 The sun has given the glittering hills a voice.  
 From east to west the glory flies away,  
 Till all the land is glowing in the day.

## II.

The sun is glancing o'er a nation's jubilee.  
 The stars have set upon another year.  
 The day, the holy day again is here—  
 The day on which my country first was free,  
 The day on which a nation it began to be;  
 And all is bright and happy yet.  
 The story of the glorious past  
 A million hearts are brooding o'er;  
 The tale is told from first to last—  
 The tale our fathers told before,  
 The story of the day we never can forget!  
 And here and there a solemn prayer  
 Is mounting through the blessed air;  
 And all that love the land are gay,  
 Come forth in joy on this their country's natal day!

## III.

The sun is mingling too his joy with ours,  
 And sending smiles upon the smiling earth.  
 Beneath his looks the snowy clouds have birth.  
 The mists are mounting to the sky  
 To join the glorious host above :—  
 Upon the breast of heaven to lie  
 And watch us with their face of love :—  
 To look upon us in these joyful hours.  
 The gaudy fields are all in rapture resting,  
 The flowers are sparkling in a thousand vales,  
 The leaves are fluttering o'er the hills and dales,  
 Millions of singing things the air are breasting :  
 All living things breathe freer in their play  
 To welcome in—to bless—the holy day;  
 Shame to the heart that would not then be gay!

## IV.

My country! I would love thee, though  
 A tyrant held thee in his arms,  
 Though anarchy rode fiercely through,  
 Clad with his worst alarms.  
 I needs must love thee, mother! whose warm breast  
 Nourished my infant life and gave my boyhood rest,



E'en though in after years she raise the rod  
 And drive me from th' embrace.  
 A debt, as much a debt as that to God,  
 Which nothing can efface—  
 And though a warmer welcome may be found  
 Upon a stranger ground,  
 Still must the early love its vigils keep,  
 Far in the heart's serene and changeless deep.  
 But since thy early slumbers  
 Were fed with peaceful numbers,  
 When once the travail of thy birth was o'er;  
 And freedom and her sister spirits at that time  
 Enchanted thy young ear with many a sweet-toned chime,  
 And gave a dream more rich than land e'er dreamed before;  
 And since thy fresh, fair face  
 Hath yet so sweet a grace;  
 As yet untouched by weakening age,  
 Unscarred by cruelty and rage;  
 And since the dream hath found its counterpart  
 In thy rich blooming youth,  
 And they who love thee in their heart  
 Seem bowing at the throne of truth—  
 Who could not more than love thee, when he feels  
 Thy kindness, which long use almost conceals.

## v.

Our fathers, who had felt  
 What 'twas *not* to be free,  
 Knew how to value their rich boon;  
 But we, who never knelt  
 To aught but liberty,  
 And never with unwilling hands  
 Perform the duty she commands,  
 Forget to prize her, all too soon.  
 Yet though our patriotic fire  
 To meaner things will oft give place,  
 And much of that pure love retire  
 Which fired the fathers of our race,  
 It is but resting in our inner heart,—  
 Not all expiring in the air;  
 And still kept warm within that holy part  
 Slumbers like unbreathed music, there.  
 It *shall* awake!  
 Whene'er occasion call,  
 Quick shall it break  
 Its evanescent thrall,  
 And burst full-winged forth from its chrysalis,  
 Leaving its darkened home for a new state of bliss:—  
 Shake but its crimson folds,  
 The flag of love will yet unfurl,  
 And in our hearts will proudly curl;—  
 Not all extinct in *Ætna's* fire,  
 Though shoot not always forth its mighty flames in ire.

## vi.

O young and blessed land! thy early story  
 Is ever for thy sons a spot of glory—  
 A thing to fix their eyes upon for ever;—  
 The light they live by burneth there,  
 Too bright for any meteor's glare  
 Their love from that dear spot to sever.

While there are those that on their fathers' knees  
 Shall prattle of thy early days,  
 Still shall the flag of freedom court the breeze—  
 Still may we proudly praise !

## VII.

Thy rugged sons, the tillers of thy soil,  
 Enjoy thy bounties with a glad content ;  
 And in their well-rewarded toil,  
 Ne'er yearn for yonder sicklied continent.  
 Oh, where so few who never know a sigh !  
 " This be our home "—the universal cry.  
 Forever bound to such an heritage,  
 A love like theirs must mock the ill presage  
 Of those who fancy ruin is at hand  
 To mar the bliss that fills our native land !

## VIII.

And oh ! what wondrous hopes hath every one ;  
 Such common hope will surely bind us fast.  
 Stronger is hope when life is just begun—  
 Despair ne'er springs from out so brief a past.  
 And strength and wisdom, virtue, too,  
 With vigorous growth, go on in might,  
 Our rosy dawn is scarcely through :  
 Far distant is the dismal night.  
 No nation e'er by poets sung  
 So full of promise, when so young !  
 And those of meditative ken  
 Are sanguine as the rudest, when  
 They pierce in hope thy coming years,  
 And tell, with voice bereft of fears,  
 Our grounds of glorious confidence.  
 And is this universal sense,  
 This common instinct, but a lie ?  
 Ye prophets o'er the olden sea,  
 Your croaking strains we may defy !  
 That all we hope our land shall be,  
 Ye more than half suspect it will,  
 When with such rare and constant skill  
 Ye labor, in attempt to prove  
 The folly of our hopeful love !—  
 My harp, we must not stay  
 To fight with fancies on a day  
 Like this, when every vaporious fear  
 Before the warmth of love must disappear !  
 For 'neath the sky of hope, to-day,  
 Contagious joys, like breezes, play.

## IX.

Rejoice, O blessed land ! in this thy day.  
 O let thy ocean-guarded shores rejoice !  
 And let thy plenty-swelling plains have too a voice,  
 That to the heart of nature melt away  
 Deep in the prairie-dappled, forest-crown'd nest,  
 Nor let the hills have rest !  
 And thy sky-dwelling peaks, where freshest snow,  
 Defying time, is fresh for endless years ;  
 And where, uplifted for the stains below,  
 A spotless sacrifice appears.

Let them remember thee, and thanks and praise  
 And prayer, in holy silence raise.  
 O blessed land ! if but the human heart  
 Were fresh as thy own verdant face ;  
 Not covered o'er with centuries of art,  
 But wild and strong, in nature's grace—  
 Still with the best of joy that man can give,  
 To-day, O let our pæans live !

## X.

Sing—O, sing ! the air is warm,  
 Heated with the breath of love ;  
 For a million wishes swarm,  
 To the mother now to prove,  
 All are grateful for her care,  
 All are ready with a prayer  
 Now to load the willing air.  
 Sing, for joy hath built her nest  
 In every heart, on every tree,  
 Nature is in blissful rest,  
 Man is ripe for jollity.  
 The gale is waiting on the shore  
 To bear the sound the ocean o'er ;  
 To all the listening lands to tell  
 That we love our own so well:  
 Then raise a swelling song through all the land,  
 For lo !—the blessed band,  
 The ones of old who made us free,  
 Are with us in our jubilee—  
 Are waiting round us now to hear  
 The music that their children make ;  
 The holy ones are hovering near,  
 Then let our songs the stillness break !  
 But sleep, my harp ! for now 'tis noon,  
 Beneath the living sun all things have rest ;  
 And mirth must reach its zenith soon,  
 And sleep, in silence lost, on joy's own breast.

## THE LIFE AND OPINIONS OF PHILIP YORICK, Esq.

WRITTEN BY HIMSELF.

## CHAPTER XXIV.

STORY OF EGERIA. (*Continued.*)

WHEN Mr. Clementine came to this point in his narrative, he rose, and observing that the night was growing chilly, proposed that we should return to the tavern ; and as the evening was far advanced when we arrived there, he bade us good night, promising to put a fair conclusion to his story in the morning.

Accordingly, next day, we took our seats under a pleasant arbor in the gar-

den, where the temperate rays of the sun gave the stranger an opportunity, without heat or fatigue, of relating what had befallen him in his search after the lost lady of his heart ; when he began as follows :

“ Fair are thy vine-clad hills, O beauteous France !

Bright Honor's birth-place, whose illustrious ray

Illumed the Mid Age, and doth still advance

Our Europe's twilight into glorious day.  
Names, letters, conquests, arms, all these enhance

The sunny joys that 'mid thy vineyards play,

Heart of the Old World, and thy children see

An inexpressive excellence in thee.

"Here grow the social passions, ripening fair,

To grace and chivalrous courage; here the mind

Bears light and free her load of mortal care,  
By passion strengthened and by love refined,

All sorrows, nay, even death itself, to dare,  
In human feeling steeped, with human kind

Blindly commingled, that cold skill unknown

That fixes reason on a selfish throne.

"Here Love was first made king, and kept his rule;

Here glorious Fiction leagued with him, and Truth;

Here came the brilliant and the wise to school—

Danté, Petrarcha, and that amorous youth,

Boccaccio, whose sweet fable doth befool  
Our sober phantasy—O mirth and ruth,  
France was your cradle—all his slights were yours,

Ye dreamy minstrels, and ye shrewd trouveurs."

At the instant our improvisatore was about to breathe the first line of his fourth stanza, we were surprised by a beautiful apparition, which was no less than the figure of the admirable Egeria herself, who with a reserved and quiet step came into the arbor. We rose to salute her; but our eccentric friend, Frank, seemed to be on a sudden struck dumb with the sight, so perfect and powerful was the impression of her presence. Clementine rose with an impassioned air, and invited the lady to sit with us, to which proposal she acceded after an introduction and a few gracious words between her and ourselves. It would be idle for me to attempt a description of this exquisite piece of divine workmanship; for there was nothing excessive or defective in her manner or person. She was neither slender nor full-fleshed, but the exact medium; her face was neither oval nor square, nor had it any positive trait, except a brilliant complexion. It was impossible for the eye to rest anywhere upon her

figure; from the forehead it slid to the eyes; from the eyes to the lips; from thence, in a bewildered modesty, to the bosom. It was equally difficult to meet her gaze and to refuse it, which created in all about her an atmosphere of expectation and delight.

If a face without one regular characteristic, but charged with the most delightful sentiment, can be described—a face, where disease, if it existed, had left no traces, where sorrow had but heightened the sense for joy, and ignorance that of understanding; if such a face can be described, then can hers be; but I am not the person to attempt it. Connect it in your fancy with a figure of the medium height, a well-turned and very fair neck, and a head harmoniously shaped; imagine a mild and well-modulated voice, social, but not familiar, pleasant, but not gay. In short, imagine the ideal woman of your soul, the joy of youth, the consolation of old age, the angel of infancy, the flower of earth, the testimony of heaven!

Steiner put himself quite out of breath in this extravagant description. "Sir," said I, "you have spoiled an excellent romance heroine by not leaving her a single defect."

"True," said he, "I did not think of that."

My remark seemed to have sunk like lead into his brain, for, as I am a true man, we sat in a profound silence one hundred and sixty seconds by an astronomical clock of mine, which stands in the wooden case in the hall. I counted the strokes of the pendulum.

"You counted the strokes of the pendulum?"

"I did, sir."

"Of what, pray, were you thinking?"

"Of a new mode of measuring an arc of the meridian."

"Preposterous egotist! and did all this beauty make so trifling an impression as that?"

"That is quite another question."

It is the disposition of an intellect exhausted by powerful and long-continued emotion to relieve itself on trifles; to satisfy this disposition, I take refuge from poetry and passion in the mathematics—as boys go from Homer to hopscotch. Meanwhile do not interrupt me again, I beg of you good reader, until I am done with this romance which begins to hang heavy on my hands.

Where did we leave? At the portrait. Steiner, as I said, maintained a



deep silence, as if digesting the ideas I had thrown to him. Presently recollecting himself with a start, he set off again at a good ambling pace.

The amiable Egeria, continued he, addressed herself to my friend. "We have heard of each other often, I am assured," said she, "and that is a reason why it should be difficult for us to become acquainted." "Yes," replied Frank, "he has sung your praises in my ears, until out of mere weariness, I resolved within myself to expect nothing." "Ah," replied Egeria, "that is the way with you, Clement; if there is anything you like, the whole world must hear of it. But I beg, unless you mean to sell me to the highest bidder, you will not so spoil my welcome." "That," exclaimed Frank, "is impossible! for your worth must always outrun his praises." "I perceive," said the lady, blushing, "that I have to deal with very dangerous people. Pray, sir, who is worst of the two, he who praises us to our friends, as though he meant to sell us, or he who lauds us to ourselves, as though he wished to buy us?"

Then taking a bracelet from her beautiful arm she put it in my hand, and while a faint embarrassment continued to heighten her complexion and add attraction to her manner—"Perhaps you can tell me," said she, "the name of this stone. I have shown it to several lapidaries, and they profess not to know it." Praising the beauty and rarity of the stone, which was a yellow tourmaline, I held it to the light and read the name, *Beaumanoir*, with the motto *Juvat pietas* engraved under the crest.

My friend upon hearing this, immediately arose, pale and trembling, and placed himself upon the opposite seat on the left of the lady. Then taking her hand he kissed it fervently, and holding it forcibly within both of his, prevented her from rising. "I beseech you," said he, "tell me from whom you had that stone." "I had it from my father," she replied, regarding the agitation of the other with astonishment and almost with fear. "Then," said he, embracing her in the tenderest manner, and imprinting a kiss upon her forehead, "all agrees, and you are my sister." "I remember," said she, withdrawing herself from his embraces, "when we fled from the city, my father left my brother, at that time seven years older than myself, in the care of an intimate friend of his, a German gentle-

man, of your name, sir, (addressing me.) This brother we called Frank. He was fair-haired, and of a melancholy temperament, but I have no recollection of his features. "I will help you," said he weeping, and looking eagerly upon her face. "Do you remember Idyll, among the elms where we lived in summer, and the dog Bounce who killed your squirrel?" "Ah," said she, "if you remember that, you are Frank, for we agreed to let no one know of it." So saying she embraced and kissed her brother cordially, and their joy was mutual and equal.

When this happy recognition, continued Steiner, had thus restored to each other the divided branches of a generous stock, Clementine indulged in reflections after his manner. "I perceive," said he, "that we three are predestinately united in our love and fortune. For it would be a contempt of Divine Goodness to say that chance wrought out these coincidences. First, it was you, Frank, who inspired me at College with the longing for Wisdom, that is to say, with philosophy; Philosophy brought me into the solitude where I found Egeria. Egeria taught me again to love wisdom, for she is wisdom embodied in sweetness. Again, you restored her to me from the grave, and like a true hero brought my Alcestis to my arms; but before—being the brother of Egeria, as wit is the brother of wisdom—you had brought me back to life, that is, to your sister, and I have requited you by restoring wisdom to wit, that is, your sister to yourself." "Say sadness, not wit, if you love me," cried the brother; "for if there is any wit between us it goes to your side; it is a melancholy humor which you take for wit in me, a melancholy born of thinking and sorrow, that wears the cap and bells with a bad grace, and sighs in the delivery of a jest. But come, let us take all things easily, and waste no wonder on our happiness, lest it take the hint and slip away. Now," said he, when we were all seated, Clementine and I on one side of the arbor and the brother and sister on the other, holding each other by the hand,—“let us hear the improvisation.”

Clementine was silent for a moment, contracted his brows, and shook his head, protesting, that if it were possible, he would continue in the poetical strain, but that the power of the present scene had weakened his fancy, and he

should think himself happy to get on with indifferent prose.

You left me, said he, among the vineyards of Provence, standing over the ruins of the Chateau Clementine. My meditations were interrupted by the approach of night, and with the darkness came a violent wind from the Alps, which blew furiously into the valley, and drove me into the shelter of a low hovel which served the purpose of an inn or hostelry for muleteers. The inhabitants, like the majority of their class, were mean and miserable, a race of down-trodden serfs, ignorant, and most part wild and vicious. The tenants of the hut, which had but two apartments, were, an old man, who sat constantly over a fire of sticks, shaking with age and ague, a shaggy-haired vine-dresser, his wife, and two sons. They jabbered continually in a *patois* which I could with difficulty understand (though French is my familiar tongue), and seemed suspicious and fearful. Wishing, if possible, to be on kindly terms with these people, whom I regarded with a peculiar feeling, as the children of those who were the tenants of my ancestors, I took a stool, and sitting by the old man, who seemed to take no notice of anything that passed, I asked him in a low voice if he remembered the name of Clementine. "Ah, monsieur!" said he, shaking his head more, which shook of itself, "that was my lord's name, the Marquis: I am very old, you see, and poor, but my lord and madame danced at my wedding, and the lord of Bignon was there too, he that was Mirabeau; his son, they say, brought on the Revolution and *liberté*." "Did you see him," said I. "Yes," faltered the old man, "I saw the Count. He was just of my age, and the Marquis said to Madame Clementine, 'Madame, my ugly son, Honoré, (meaning the Count,) desires to dance with you;' and madame danced with Honoré, and I saw him kiss her cheek when he thought nobody looked that way. Ah! he was an angel, monsieur, in the skin of a devil. Those were happy times! My lord Marquis Mirabeau gave us money and his blessing. Then, thought we, there will be no acorns eaten this year, but good bread and plenty."

After these words the old man sunk into a profound silence.

I waited awhile to observe whether he would speak again, and meanwhile the vine-dresser and his family, who had

come about us, stared at us with astonishment. When I inquired the cause of their wonder, which they expressed by signs and exclamations, they assured me that their father had not spoken for more than a year. The vine-dresser inquired what I had done to make him speak. I then told them my name, and that their father, as they called him, had been a tenant of my grandfather's, but the communication had no other effect than to excite exclamations and inquiries.

I lay that night on a little loose straw in the corner of the hovel, visited by melancholy visions. About two in the morning the storm abated. Wearied with travel and wakefulness, but unable to win a moment's rest from thought, I arose impatiently, and in rising felt my hand pierced by something sharp among the straw. Feeling carefully for the cause, I touched what seemed to be the clasp of a bracelet, a stone in a metallic setting, the pin of which had inflicted the wound. The brands were still smoking upon the hearth, and I quickly urged them into a flame by my breath. By the dim light of the flame, examining the jewel, I read the name Beaumanoir, engraved upon it, with the motto, *Jurat pietas*. It was the same which Egeria has upon her wrist, and which was given her by the old woman of the hut by Sallomon lake, as the sole memorial left by her father.

You may imagine the effect of this discovery. I called up the vine-dresser without delay, and showing him the stone, made every inquiry regarding it. At length, after a tedious explanation, I learned that a party of four persons, two of which answered the description of Egeria and her governess, had taken refuge from a storm in the hovel about a week before my arrival; that the young lady had fainted through fatigue, and lay for a few moments on the litter, in the very spot where I had made my couch; that the two gentlemen who were with her were extremely attentive, and one in particular turned pale and cried out when he saw her fall into a swoon; that he was a very handsome man, with black hair, large eyes, and a very haughty manner—they took him to be English; that Englishmen very often came that way; that, finally, they knew nothing further, and could not even guess the way the party had gone.

I hurried to the village, and made every inquiry. A party, answering to

the vine-dresser's description, were lodged at some distance from the village, at the house of a farmer, where they had been above a fortnight. The road thither lay among wild and unfrequented places, winding along the sides of rounded eminences, whose soil had been carried away into the hollows by rain, leaving them barren and almost devoid of vegetation.

I had walked by this road, it may have been half an hour or less, for the minutes appeared cruelly lengthened, when on a sudden it made a turn and entered a cultivated farm, divided by walls of stone and hedges, in the English fashion. The road became green and smooth, and had tufts of bushes on either side. At a little distance before me I saw two persons walking, one a man whom I had remembered to have seen, but where or when it was impossible to recollect; the other a woman very gorgeously dressed, whose air and voice, for I was near enough to hear their laughter and conversation, reminded me of the governess. I passed them and turned, but they did not recognize me;—a profusion of hair and beard, a foreign dress, and a complexion darkened by travel, proved an effectual disguise. I carried in my hand an oaken stick which had come with me from Paris, and was almost grown to the arm that held it. A knapsack, which in my agitation I had forgotten to lay aside at the inn, bent my shoulders. A pair of hide shoes, stout corduroys, and a leathern hunting-coat of Kentucky make, added whatever of uncouthness was necessary to perfect disguise.

Clementine paused an instant at this point; then drawing a deep breath, he resumed, as follows:

I would have spoken to the governess, but extreme agitation prevented the utterance of a syllable. A hundred yards farther on, the road terminated at a stile, and beyond was a vineyard with an English cottage in the midst. Such was my agitation, I did not at first see the figures of two persons before me, on the right, half concealed by a clump of bushes. My eyes were for an instant darkened as by a veil, my ears rang, and a tremulous fire swept through my limbs; "yet why this agitation," thought I; "if it should be she you seek, this faintness and passion will incapacitate you; if it be a stranger, then how absurd the anxiety!" I passed on, and overtook them; the lady leaned upon the arm of a stranger, who I thought was an

Englishman, perhaps a nobleman and a rival; "I will kill him," thought I, and the fury of the tiger for an instant scorched my veins and stretched the tendons of my arms. "Absurd folly! will you suffer your nature to be debased by a suspicion; besides, you do not know whether it be she or not;" for, indeed, I had not courage to look behind me as I passed them. I went on to the stile, and standing by the wayside, behind a clump of shrubbery, resolved to wait there and observe them as they passed. They came near. They did not see this manœuvre, and came on slowly, conversing. The voice of the stranger was pressing and persuasive. "Tell me," I heard him say, "the reason of your reluctance, and do not be displeased if I call it unreasonable, until I hear a reason." The lady made no reply; but at the instant, as she turned her face away, she saw me; our eyes met,—it was she whom I sought. Clementine buried his face in his hands when he had said this, and for a moment sobbed audibly, so vehement was the memory of that passion. Nor was the lady herself unmoved, though she made the most strenuous efforts to conceal her emotion. "But you, Egeria," continued Clementine, looking tenderly at her, "did not know that it was I." "Spare me, sir," she replied, rising with dignity, though not as if offended. "Stay," said her brother, holding her forcibly, "you must not go now, Egeria, Clement will not offend us, be sure of that. He is of imagination all compact," said he, laughing so kindly she could not be offended; "and we who are very wise and cool, will suffer nothing by his vagaries." Thereupon, with a gentle pressure, he forced his sister to stay, and Master Clement, though a little ashamed, continued as follows:

I suffered them to pass, and turning back upon the road, walked blindly, I know not how far: at length, ashamed of my own weakness, I returned, and as fortune would have it, Egeria stood by herself on the hither side of the stile; the others had wandered off; the governess and the Englishman seeming to be in deep consultation, and the other person busy with observing the vineyard.

At this moment, said Steiner, the lady slipped away from her brother, and retired, noiselessly. Clementine, who did not seem to observe it, being rapt away by imagination, continued in the same strain:

Coming quietly behind, as she stood leaning against the stile, I pronounced her name. She started, and without a word held out her hand to me,—smiled, as she used to smile,—but in an instant the paleness of death came over her countenance, and she leaned forward and embraced me.

I know not how long we remained in that position, before a rude grasp upon my arm compelled me to change it. Placing the lady upon the step of the stile, I turned suddenly; it was the Englishman. He stared in angry astonishment. "Do you know that lady," said he. "I do." "And pray, sir, who are *you*?" A gust of jealousy forced me to reply rudely. "I am the guardian and friend of the lady. Have you anything to ask farther?" Exasperated with the insolence of the reply the Englishman laid his hand upon my collar, and made an effort to throw me off; but in that particular he reckoned without his host. I knocked him down. Here was a pleasant beginning. Egeria recovered herself, and laying hold upon my hands reproached me bitterly: "My friend, sir," said she, "the gentleman does not know you. Oh, you have

done wrong. It is Mr. Clementine, my friend and master,—my guardian, sir," said she, going to the Englishman, who had got upon his feet and was meditating a furious attack. An explanation ensued, and an apparent reconciliation; the governess came up, recognized me, introduced me to her companion, who also remembered my face, and the party turned to move homeward, but not until the Englishman had whispered in my ear what is usual on such occasions, and to which I very cheerfully assented. As I thought myself a good fencer, I named swords, which seemed to give him particular satisfaction, meanwhile he did not choose to interrupt me, or make any farther quarrel; and with Egeria on one side, and the governess on the other, I walked to the house, full of joy and exultation.

The next morning, having procured a couple of rapiers, I went to the appointed place of meeting, and waited for the challenger to appear, but he had found wit in his anger, and I learned, on returning to the village, that my Lord Anglais and his servant had taken their departure before daybreak."

## CHAPTER XXV.

MR. YORICK, AFTER A SUITABLE APOLOGY, RELATES AN ADVENTURE OF HIS OWN.

Yes, I will begin it,—I will venture upon it. But first let me apologize to you, in some manner, for omitting the conclusion of the story of the fair Egeria; in truth, though I had never so great a desire I could not conclude it;—you would not have me sit down and deliberately *invent* a conclusion of that true and authentic recital? No, I am persuaded of that;—you have too great a regard for my honesty. Herr Steiner left it unfinished that night, and in the morning, it was the very morning of this cheerful evening, when the air of my garden is rich with perfume, and with the melody of birds, that Egeria, the benignant angel of my last night's dreams, set her feet upon the greensward of my shrubbery, and then upon the matting of my cool hall. In the morning early, Steiner, by my own urgent solicitation, went over to the tavern where they met, and brought them hither. And now, like Darius, I cry out in reverie,—“I have Egeria, I have her under my roof;” my soul, O reader, is full

of generosity, and I delight in hospitality. I am fired with the description of virtue, beauty, goodness, grandeur, and desire to behold them, to touch them, to entertain, and solicit them to accept favors.

O cruel fate that has left me but this one virtue! Why am I compelled to seek my satisfaction in alien excellences, ever scorning myself and my works? Nay, I confess too, that praise is not unacceptable to me, from the good. I delight in the smiles and favoring words of nature's best children, who are in favor with divinity. The fires of my heart burn fiercely toward them—the tears gush from my eyes at thought of them and their great speeches. Listen with me now—the voices—do you hear them?

The curtain floats at the window, yielding gently to the summer's wind; as it rises appear glimpses of remote valleys, the silvery jettings of little streams, that wind and fall. The ocean beyond, bearing a bank of pale clouds on its line, begins infinitude. The wailings of a



melancholy thrush near by, in the wood, where it joins the garden, leaning over the pale, are not sweeter than the voice that floats up from the hall and enters my chamber through the half-closed door;—Egeria sings a sweet Tyrolese air; the voices of the merry mountaineers seem to echo in rich tenor the aria of the maidens: from hill-side to hill-side the quick notes fly and rebound; it is love that sings—music is the voice of love, and thus am I thrown back upon myself, (wretched egotist,) for my loves are voiceless! But if I cannot sing, at least I can talk! Hermes! yes, I can talk! there is consolation in that.

Your true author is a kind of mock bird—he has a faculty, through sympathy, of imitating all passions; of feeling all passions. I will lay my copy of Burton's Anatomy of Melancholy, against your Tytler's History, which, to my thinking, is as fearful an odds as ever man laid, that your Shakespeares owed their power to sympathy. They are in love with all beauties, ravished by all melodies, angered, vexed, distracted with other men's affairs; cursed with an overpowering sympathy with all kinds of souls and passions, and remorses and joys, and reasons, until human nature is a book perused by them pen in hand; they have read, re-read, and got by heart, as it were, under the rod, the whole farcetragedy of life, without desiring it, striving perpetually to shake it off, and get the din of it out of their ears, and the fire of it out of their hearts—until they have mastered it, and got it under foot; and then, if necessary, they can write.

At this moment, while my friends are enjoying themselves below, Steiner, with a box of minerals before him, is turning them over in search of something rare—a trumpery collection of mine. Frank is lying stretched upon the grass-plot, with a meerschaum at his mouth; Clementine, in his chair, is asleep; Egeria has just finished her song, and now I see her in the garden, which my window overlooks—a lily among roses—she has on a white bridal dress; they are to be married this evening, in the village church. Or shall it be in my house? I will do what I can to bring that about. See, she has gathered a wild rose and fixed it in her hair—Heaven guard my heart! The breeze sports with her golden locks, she looks east, she looks west, she looks upward, and toward the earth—O foolish heart! What prerogative this beauty

hath to sway and tyrannize—of what power and sovereignty it is—and how far such persons, that so much admire and dote upon it, are to be justified? with that I burthen not my mind; but by what means doth it produce this effect? By sight; the eye betrays the soul, and is both active and passive in this business; it wounds and is wounded; is an especial cause, both in the subject and the object; this sight, then, being the portal of beauty through which she entereth the soul as through a triumphal arch, is the most honored of the senses. Yet through touch, hearing, smell, the pressure of the hand, and all other avenues, *love* steals into the soul as through a postern gate, or a subterranean entrance. If love, then, enters at all, and beauty at only one of these gates, beauty is but an accident of love, and must not be confounded with its true causes. Else why, my homely Chloris, is thy poor mortal image the very embodiment of all that I desire and affect? "Grace is more powerful than beauty, it is the cestus that makes beauty desirable." For is not grace the beauty of motion, and motion the principle of fancy, and fancy the councillor of love?

Yes, I will begin it, I will venture upon it,—the story of my unfortunate affair with Chloris,—how it began, proceeded, ended. But allow me, in this instance, to assume the position of a third party, and for I say *he*,—I am tired of this autobiographical I.

It was in the summer of his twenty-second year that Master Yorick saw and was conquered by the admirable Chloris; a great event in his life; for was it not she who persuaded him of the transcendent beauty of the world, the excellence of life, and divine power of hope,—not in a course of lectures, but in such a gentle insinuating fashion as I weep to think of; for, indeed, the admirable Chloris is but dust and a name.

Here, then, I invoke *thee*, Fancy, thou friend equally of the wise and foolish.

"Say, then, by what best name may I thee call—

Giver of joy, sole balm of wounded sprites,  
Love's harbinger, true sun of sunniest day,  
Dispenser of all true and rare delights,  
Who know'st alone dejected hopes to raise,  
And gild'st her rainbow with fresh-tinted lights,  
Youth's passion, manhood's pleasure,  
glory's wreath,  
Friend of all life, and solacer in death."

Shall I call thee also, instigator of knaves, the equal friend of good and evil! for thy functions are various. We recognize thee under many forms, but now under that which the poet adores, the venerable name of Muse; whom, too, he courts with the choicest works of reason, or the yesty offerings of conceit; and thou appearest to him fluttering in borrowed rags, or moving majestic in thy royal robes: idly smiling, or with fixed regard piercing earth and heaven. Or wouldst thou rather I address thee as my dearest mistress, whom I have worshipped mistakenly, in forms purely mortal? but now I know thee for a spirit,—and invisible. Give me thy choicest inspiration, for I desire to describe a thing which above all others thou lovest. Thou, who wast of old the mother of giants and of pigmies,—of wars and the poems which celebrate them,—who gavest thy friend Homer his tenderness and manly simplicity; and to thy mortal paramour, Shakspeare, a power equal to thine own; triformed deity—whom the gods name Esemplastēs, and mortals, Imagination; come in the garb and figure of thy mother, Nature,—for whom the weak in mind do perpetually mistake thee; but bring not thine insolent slave, Vanity, nor brazen Conceit, in whom Proserpine delights; nor appearing as Apollo beheld thee, converted into a laurel, which the disappointed god embraced in vain. Appear rather plainly attired, firmly pressing the earth, crowned with a cereal wreath, and bearing in thy hand a cup of fresh honey, mixed with vinegar. Come, Myrionomy!

"She comes—but in what form? O soul! in that of Chloris herself—the innocent, the modest, the graceful Chloris. Away! the sight of thee plunges me in death, for thou art dead! thou art dust!"

It was in his twenty-second year, an age, you are well aware, of great susceptibility; the thinking faculty alive, but rather serving the heart than guiding it; the passions more apt than ever to take fire; imagination at her heat; love dominant, and reason as yet fearful of herself, and credulous of suggestion; it was at this age of distemperature that our hero found himself suddenly overwhelmed with a new passion. I will not conceal it; she overcame him with her presence, and though he resisted for a time with the eyes of his understanding, yet was he finally conquered, and, as in a tempest carried headlong.

I find him at this period exercising the art of a physician, which he had newly learned, in a remote village, among a people as far removed from refinement as from mere barbarism; the arts of life cultivated and enjoyed, the sources of those arts, religion and learning, neglected or totally unknown. A man here was but a man, a woman something less than a woman. The people of the village were a strange mingling of several nations, met in the pursuit of gain, about the vicinity of mines. Utility, the god of this baser world, claimed an undivided worship; chastity and honesty so far in the decline as to be matters of argument and praise. I stay not upon the general question, or to relate by what evidences Master Yorick came to know the condition of this people; enough that he lived among them, and did there "practise" what he had learned. They loved him for he was simple and discursive. Where all questions of life are to be reconsidered, as if there were no scripture or laws of physiology, the opportunities of original remark are great and singular. Of these our hero unconsciously, but skillfully, availed himself; dealing out his physic and his morals, though on his own part, with so little confidence in either, the faith and gratitude of his patients were a source of wonder to him, and I confess, came very near making him a charlatan outright. He began to suspect Nature of an error, and that in composing man she had made him up totally of lies and superstition.

Oppressed with doubts of this kind, and unable to re-confirm his belief by communication with any superior soul, he sank into a despondency of the fatalist kind, and even meditated suicide: having so little joy in the present, he made light of the future state, doubted of it altogether; for, to him whose gate of paradise is closed in this life, the prospect of one in future becomes faint and ineffectual; nay, there is no hell beneath one and no heaven above, but all a wild, gross element of fire, earth, and wind; such was life to him—a life merely transitory and undesirable. Following every shadow of consolation, he addicted himself to the contemplation of scenery in the manner of Wordsworth, or in some such galvanized manner, and wandering purposeless over a region of forest-clad mountains, divided by valleys like ravines, where black streams rushed foaming among

rocks, or glided beneath interlocking arms of vast hemlocks; here dashing over white walls unobserved of any human eye but that of our wanderer, or of the solitary hunter stopping momentarily to quench his thirst; the soul of Master Yorick grew but the more woody and tumultuous; lapsing into a poetic barbarism, less spiritual than dreamy, and for the most, promising little profit to himself or to the world.

Poets, describing the beatitude of Seraphim, say only that they continually look upward toward Deity. The beatitude of our hero consisted rather in looking downward, beholding the face of nature with the eyes of the body, which to him were but sensuous ministers.

"As by contact fire kindles fire, the spirit of one man enkindleth that of another with its proper fire;" but in solitude and the contemplation of things natural, the fire of the soul dies away, and there burns in place of it a smouldering heat, which, if not merely gross, is hard to be distinguished from grossness.

Not that reason failed altogether of her office, painting in vague shapes the misery of his condition, the joy of human fellowship, the true ends and hopes of existence. He composed, wrote, versified—harping tediously even to himself, upon the glory of the visible world, and the features of divinity visible therein; but thought little and wrote less of the unseen; for with all his faults, an imitator, a sceptic, an egotist, a dreamer, a moral critic, a self-tormentor, a wearisome castle-builder; nay worse, a man driven by gross desires into many excesses and immoralities, injurious to soul and body, he kept his honesty; was always even with himself, and neither evaded nor vainly deplored the consequences of iniquity; saying only what he dared to say, and with a holy horror avoiding to name the power until its presence became clear.

Master Yorick was no sentimentalist; say rather, he tampered with nothing, and cried not out where he found no treasure.

In the twilight of a sultry day in August, he was returning, weary and oppressed, from a remote hamlet, to which he had been professionally called. His weariness proceeded rather from disgust and lassitude, than from positive fatigue, for, in bodily exercise, I remember him a kind of Nimrod. At the turning of the road over a rocky ridge where it descend-

ed towards the sunset, a carriage passed him in which he observed three persons: a citizen with his wife and daughter—the last named, a young lady whose countenance, as he caught her eye, struck him as wholly unattractive, plain even to homeliness; yet the impression of her look had force enough to waken curiosity, and he spurred his horse after the vehicle, as it moved swiftly down the slope. The village lay within sight, a collection of rude dwellings, hastily thrown together in the vicinity of a mine. In the midst stood an inn by the high road, maintaining by contrast an air of gentility.

The carriage stops at the inn door, and the party alight. He arrives immediately after and finds them seated at table. With a cosmopolitan freedom they address each other, and are soon upon a footing of acquaintance. The doctor of the village might call any man friend, and Master Yorick had a gift of familiarity. The stranger is a proprietor and visits his property. The wife is a woman of much elegance, affable and discreet. The daughter, a person composed of so many singular qualities, so naive, pleasant, serious, well-informed, ready, happy, graceful, yet withal so provokingly original and keen—for such was Chloris—it were folly to attempt her portrait in any other than a dramatic mood.

The evening of that day he passed in the society of Chloris and her mother. For reasons more apparent to others than to himself they were attracted by his conversation, which, while it did not depart from simplicity, or even rusticity, of phrase and manner, yet raised them to a mood of contemplation, tinged with melancholy and sharpened by a wit, the more poignant as it was spontaneous, but never either narrow or malicious.

From evening to evening Chloris found herself happy in the society of Master Yorick; nor did he fail soon to perceive the beauty of her soul. In the painful occupations of the day, her voice followed him and the power of her smile. His mad nature worship gave place to a passionate longing for human sympathy, but of a strain so refined and rational as he thought he seemed to have discovered a new world, much nearer heaven, and fully partaking of its blisses; yet always dashed with an inexplicable melancholy, which, to call either amatory or platonic, were to defame the passion and its cause. But one thing satisfied them,

to be near each other. "I enjoy all things in you," he confessed—"in all things I behold you: love seems to me the God of this visible sphere, and I a creature of love—an embodiment, an impersonation of its power. By hand, by sight, by voice—even by remote sounds—I am persuaded of your goodness—you are my world, my nature." If they were near, they were soon nearer. They sat, moved, listened, dreamed, thought together. She confessed that in thunder, in the sound of waters, the sighing of wind, there was a sound that betrayed

the secret. Involving and involved, they became indissolubly one—and this they dreamed must be—was surely—an immutable condition.

In the course of all true passions—whether of love or hate, of knowledge or imagination—there is a time of total absorption, when self departs out of self, and centres in the object; we are then martyrs by a faith merely natural, and to one function of the soul sacrifice the rest; the imagination or the heart becomes lord over the other powers, and lays them in a trance.

#### REVOLUTIONARY REMINISCENCES CONNECTED WITH THE LIFE OF ROBERT MORRIS, ESQ., THE FINANCIER.

It is next to impossible to form any just estimate of the great event of the American Revolution. The mind becomes lost in a comparison of the smallness of the means to the magnitude of the end. Nothing but a belief in that superior power which guides nations to their destiny—silently gathers and disposes inferior causes to some mighty issue, and selects its own time for producing results the most unexpected and startling, can solve what else must for ever remain beyond human comprehension.

It belongs not to our present design to dwell upon the greatness of a theme which has called forth the highest powers of eminent historians and orators, and awakened a world to its sublimity. It is simply our design to record some of the incidents of the Revolution connected with the life of one of the extraordinary men who graced that period; whose name, though well known, is not often enough brought before the public, and does not, we have thought, command that estimation and honor so eminently due to the ardor of his patriotism, the wisdom of his counsel, and his self-sacrificing devotion to his country in the times of her greatest need.

The tendency of the human mind to be dazzled by deeds of arms—the "pride, pomp and circumstance of glorious war" are so great and universal, that we are always liable to yield too much to their influence, and to forget the arduous

labors of the cabinet, in the more glittering achievements of the field.

Assuredly we would not even inadvertently derogate in the slightest degree from the hard-earned fame of a single soldier of the Revolution. The records of their valor and indomitable energy, amidst privations that sicken the heart in their contemplation, never fail to stir up within us every feeling of gratitude—every ardor of enthusiasm—and we sometimes fear we are chargeable with idolatry to the immortal conductor of that painful conflict, of whom it may be said in simple truth, that among all men however dilated by history—"none but himself can be his parallel."

Let it not be forgotten, however, that there were united in the cause a band of men in council, whose hearts beat as high, and whose souls were as much aroused to the magnitude of the design as were those of the devoted military leaders whose actions have made their names imperishable.

Among the foremost of these, was Robert Morris, the Financier!—the man whose enlarged views of the struggle in which the colonies were about to engage, impressed him with the belief that the greater difficulty in the contest would be to provide the sinews of war—and who seeing this, at once resolved to give up the retirement for which with ample means he was preparing, and thenceforward to devote himself and his fortune to the service of his country.



We are not about to write his life, which has been already written. We hope however to add some facts, and to give a new version to some already known; to show in stronger contrast than has yet been shown how, from the smallest means, the most extraordinary results are obtained through the energies of a single powerful mind, and the devotedness of a great heart.

The father of Robert Morris had his residence at Oxford, Talbot County, eastern shore of Maryland, and was engaged in carrying on a large trade in tobacco, with Liverpool.

As there was nothing peculiarly remarkable in his life, nothing further is recorded of him than that he was a gentleman of exalted character. The following epitaph is taken from his tombstone in White Marsh Church, in St. Peter's Parish, about five miles from Oxford:

"In memory of Robert Morris, a native of Liverpool in Great Britain, late a merchant at Oxford in this Province. Punctual integrity influenced his dealings—principles of honor governed his actions—with an uncommon degree of sincerity, he despised artifice and dissimulation. His friendship was firm, candid and valuable. His charity frequent, secret and well adapted. His zeal for the public good active and useful. His hospitality was enhanced by his conversation, seasoned with cheerful wit and sound judgment. A salute from the cannon of a ship, the wad fracturing his arm, was the signal by which he departed, greatly lamented as he was esteemed, in the fortieth year of his age, on the 12th day of July, 1750."

The gun which so suddenly ended his life, was fired under very peculiar circumstances. We give them as we have received them from his son, the present Thomas Morris, Esquire, formerly United States Marshal for this district, to whose supervision all the facts contained in this article have been submitted that no doubt may exist as to their accuracy.

It was usual at that period, soon after the arrival of a ship from a foreign port, for the captain to give an entertainment on board to the consignee and his friends, and as a compliment to the guests on their leaving the ship, it was the custom to fire a single gun. Mr. Morris' father on an occasion of this kind, which he attended as consignee, had a pre-

sentiment the salute would prove fatal to him—and so strong was the feeling it excited in his mind, that he obtained from the captain a promise that this ceremony should be dispensed with. The gun however, had been loaded, and the captain unfortunately forgot to inform the whole crew that no salute was to be given. Accordingly when the boat left the ship's side, a sailor who had not heard that the salute had been countermanded, and supposing the omission to be accidental, hastily lighted a match, applied it to the gun, and the wadding struck Mr. Morris' shoulder with such force, that a mortification ensued which speedily ended in his death.

The subject of this memoir was born in Liverpool, England, in the month of January, 1733—old style.

Left an orphan at the age of fifteen years—he had been previously placed by his father in the counting-house of Mr. Charles Willing, an eminent merchant in the city of Philadelphia, where his capacity and good conduct secured for him the firm and lasting friendship of his employer, for whom during his absence, young Morris frequently transacted business of the greatest importance, and made negotiations to large amounts.

In 1754, at the early age of 21 years, so high was the estimate of his talents, that a co-partnership was formed between him and Mr. Thomas Willing, the son of his employer, which continued till the year 1793. But when the difficulties commenced between the colonies and the mother country, long before the breaking out of the Revolution, his whole nature revolted against tyranny, and though his interests as a merchant suffered deeply, he was among the first to promote and sign the famous non-importation agreement in the year 1765, by which a very large portion of the merchants of Philadelphia bound themselves to confine their commercial intercourse with Great Britain to the mere necessities of life, until the difficulties then pending should be settled.

When the day of trial actually came, when the news of the massacre at Lexington reached Philadelphia, at about 5 P. M., four days after it took place, Mr. Morris was presiding at the dinner given on the usual celebration of St. George's day, 23d April, 1775. A discussion, as on a previous occasion, had taken place on the all-absorbing topic of the then increasing difficulties with the mother

country; moderate counsels had prevailed, it having been agreed upon, for the moment, to acquiesce and pay the stamp duties; but no sooner was it known that American blood had been spilled, than the tables laid to celebrate the anniversary of the English saint were overturned. A vow was made, and a resolution taken then and there, by the high-souled patriot who had presided over the ceremonies, a dedication of himself and all that he possessed, to the new cause was pronounced, and forever afterwards faithfully kept. Little, however, could he then know that the fate of his country was in one way to become intrusted to him alone—that on him it would depend to feed and clothe the struggling armies that were to raise the standard of freedom in the western world.

In the same year, in November, he was elected by the Legislature of Pennsylvania to the second Congress. In 1776 he was re-elected, and was a strong advocate, as he is well known to have been a signer, of the Declaration of Independence.

Two or three days after the battle of Trenton, which was fought in the latter part of December in this year, it became a matter of great moment to Gen. Washington to obtain a sum of money in specie, in order to keep himself well informed of the designs and movements of the enemy. The commander-in-chief well knew to whom alone he could apply with success; he wrote to Mr. Morris, and the following reply was immediately dispatched:

“PHILADELPHIA, Dec. 30, 1776.

“SIR—I have just received your favor of this day, and sent to Gen. Putnam to detain the express until I collected the hard money you want, which you may depend shall be sent in one specie or other with this letter, and a list thereof shall be inclosed herein. I had long since parted with very considerable sums of hard money to Congress, and therefore must collect from others—and as matters now stand, it is no easy thing. I mean to borrow silver and promise payment in gold, and will then collect the gold in the best manner I can. Whilst on this subject, let me inform you that there is upwards of twenty thousand dollars in silver at Ticonderoga. They have no particular use for it, and I think you might as well send a party to bring it away, and lodge it in a safe place convenient for any purposes for which it may hereafter be

wanted. Whatever I can do shall be done for the good of the cause.

“I am, dear sir, yours, &c.,

“ROBERT MORRIS.”

This act in itself shows the enlarged mind and liberality of Mr. Morris; but it is only one of the many existing proofs of his munificence.

Not long afterwards, when Washington had just re-crossed the Delaware a second time, the period of service of nearly all the eastern troops having expired, and the general having prevailed upon them to serve six weeks longer, by promising each soldier a bounty of ten dollars, the military chest could not afford him the means to comply with his promise. On the 31st of December, 1777, he wrote again to Mr. Morris, who replied to him the next morning: “I was honored with your favor of yesterday by Mr. Howell, late last night—and ever solicitous to comply with your requisitions, I am up very early this morning, to dispatch a supply of fifty thousand dollars to your excellency. You will receive that sum with this letter, but it will not be got away so early as I could wish, for none concerned in this movement, except myself, are up—I shall rouse them immediately. It gives me great pleasure that you have engaged the troops to continue; and if farther occasional supplies of money are necessary, you may depend on my exertions, either in a public or private capacity.” This letter is dated January 1st, 1778.

In March of the same year, he was a third time appointed, in company with Benjamin Franklin, George Clymer, James Wilson, Daniel Roberdeau, and Jonathan B. Smith, to represent the Assembly of Pennsylvania in Congress, and in November he was selected, with Mr. Gerry and Mr. Jones, to repair to the army, and confidentially to consult with the commander-in-chief upon the most practicable means of conducting a winter campaign. In August, 1778, he was appointed a member of the standing committee of finance.

Besides his advances in money, such was his enthusiasm in the public cause, that the almost unlimited credit he possessed was always put in requisition to supply whatever the wretched state of the finances of the country rendered necessary. The years 1779 and 1780 were the two most distressing years of the war. Judge Peters relates the following anecdote as having taken place

about that time: "We" (the Board of War) "had exhausted all the lead accessible to us, having caused even the spouts of houses to be melted, and had unsuccessfully offered the equivalent of two shillings, specie, (25 cents) per pound for lead. I went in the evening of the day on which I received a letter from the army, to a splendid entertainment given by Don Miralles, the Spanish minister. My heart was sad, but I had the faculty of brightening my countenance even under gloomy disasters; yet it seems not then with sufficient adroitness, for Mr. Morris, who was one of the guests, and knew me well, discovered some casual trait of depression. He accosted me in his usual frank and disengaged manner, saying: 'I see some clouds passing across the sunny countenance you assume; what is the matter?' After some hesitation, I showed him the general's letter, which I had brought from the office, with the intention of placing it at home in a private cabinet. He played with my anxiety, which he did not relieve for some time. At length, however, with great and sincere delight, he called me aside, and told me that the Holker privateer had just arrived at his wharf, with ninety tons of lead, which she had brought as ballast. It had been landed at Martinique, and stone ballast had supplied its place: but this had been put on shore, and the lead again taken in. 'You shall have,' said Mr. M., 'my half of this fortunate supply; there are the owners of the other half,' (indicating gentlemen in the apartment.) 'Yes, but I am already under heavy personal engagements as guarantee for the department, to those and other gentlemen.' 'Well,' rejoined Mr. Morris, 'they will take your assumption with my guarantee.' I instantly, on these terms, secured the lead, left the entertainment, sent for the proper officers, and set more than one hundred people to work during the night. Before morning a supply of cartridges was ready and sent off to the army. I could relate many more such occurrences."

Well might this last remark be made by Judge Peters, for the whole history of the war is one continued narrative of want of public means to sustain it, and of the most indisputable testimony, by private letters and public documents that in almost every instance, before and after he became financier, Mr. Morris devoted the whole of his private fortune, and his unbounded credit, to the furnish-

ing of supplies of every nature, which could not be obtained from any other source.

In 1781, a period in our revolutionary history when Congress and the Commander-in-chief were driven almost to despair, Mr. Morris on his own private credit supplied the furnishing troops with several thousand barrels of flour, and thus arrested the design entertained, of authorizing the seizure of provisions wherever they could be found—a measure which would inevitably have displeased the whole country, chilled its patriotism, and probably turned back the course of the Revolution.

In a letter to Thomas Lowrey, Esq., of New Jersey, dated 29th May, 1781, Mr. Morris writes: "It seems that Gen. Washington is now in the utmost necessity for some immediate supplies of flour, and I must undertake to procure them, or the laws of that necessity must be put in force, which I shall ever study to avoid and prevent. I must therefore request that you will immediately use your best skill, judgment and industry, in procuring on the lowest terms you can one thousand barrels of sweet sound flour, and sending it forward to camp in the most expeditious manner that you can contrive. I know to do this you must pledge your private credit, and as I have no money ready, although the means of raising it are in my power, I must also pledge myself to you, which I do most solemnly, as an officer of the public—but lest you should, like some others believe more in private than in public credit, I hereby pledge *myself* to pay you the cost and charges of this flour in hard money, and thus enable you honorably to fulfill your engagement."

So in another letter of same date to Maj. Gen. Schuyler, he says, "General Washington is in distress for want of an immediate supply of flour. I must therefore request you will take the most speedy and effectual measures to deliver to the order of his Excellency one thousand barrels, and for your reimbursement you may either take me as a public or private man; for I pledge myself to repay you with hard money wholly if required, or part hard, part paper, if so you transact the business. In short, I promise (and you may rely that no consideration whatever shall induce me to make a promise that I do not see my capability to perform) that I will enable



you to fulfill your engagements for this supply of flour." These two parcels of flour came to the timely relief of the troops, and thus did this man of wonderful resources constantly raise supplies which the government found itself incapable of furnishing. So much for his measures taken with private individuals. But this could not satisfy his great zeal.

In 1781, he effected a contract with the State of Pennsylvania by which he undertook to supply all the requisitions made by Congress on that State during the current year, on receiving as a reimbursement all the taxes imposed by a law recently enacted. On the 25th of June, the contract was agreed to, and on the 6th of July following, Congress passed a resolution approving of the transaction. Not content with this, his great financial talents were put in requisition, and he actually raised for a time the paper currency of the State from the low rate of six for one, to that of two for one. And this he accomplished by at first making all his *contracts* payable in paper money, (payable at a future day,) and by selling Bills of Exchange to fulfill them, afterwards receiving and paying the paper money at a smaller rate of depreciation than that at which it had been previously received; and at each successive operation the rate was lowered by accepting it at the improved rate for other Bills of Exchange. The paper was not used for immediate supplies, because this would check its progress towards par; for if it had been paid out in quantities from the treasury there would have been a consequent depreciation. On this subject he remarked, "that in view of those evils which inevitably follow from the issuing of paper money, and which always have attended that measure in a greater or less degree, it was most advisable to purchase with specie, and supply the want of cash by the supply of credit, until sufficient funds could be raised for the public exigencies by taxes—hence his constant and most strenuous exertions were used, to induce Congress to fund the public debt.

It was near this period that General Gates, who was intimately known to Mr. Morris called on him to consult with him, about accepting the command of the army in the South. On this occasion Mr. Morris stated to the General the many difficulties and embarrassments he would meet with, and frankly told him he feared his habits of business were not

adapted to that command. "I fear," said Mr. M., "you would sink, under the complicated perplexities you would have to encounter. I advise you to remain satisfied with the laurels you have earned at Saratoga. I fear they may wither if you accept the command." This frank and candid advice was disregarded, the command was accepted, and the disastrous battle of Camden too truly verified the foresight of Mr. Morris.

While on the subject of the Southern Army, to the command of which General Greene had succeeded, although it may be somewhat out of chronological order, we may as well here introduce an anecdote, no proper version of which has been yet published.

After the termination of his campaign General Greene called at the office of Finance, on Mr. Morris, and having in the course of the interview entered somewhat at large into the extreme difficulties he had had to encounter, he said, "I am not superstitious, Mr. Morris, and yet I cannot help believing that on two separate occasions there was a special interposition of Providence in my favor, and which prevented the disbanding of my army. I had, on more than one occasion, surmounted difficulties which it at first appeared impossible to overcome, but at length while seated in my tent overwhelmed by the gloomy apprehensions of a fate which seemed inevitable, I was visited by a gentleman whom I had occasionally seen about the camp, but who had never particularly attracted my notice. 'You appear, General,' said the visitor, 'to be in much distress; under the impression that it may arise from a want of money, I have ventured to approach you, to tender to you offers for your relief. I have now in my possession thirty thousand pounds, which is at your command, and for which I will take your draft on the financier.'"

Half astonished, I accepted of his proffered unexpected relief, when he left the camp and I saw no more of him, until a subsequent occasion when I was placed in the same painful dilemma. He again at this time called upon me, furnished me with the required funds, took my drafts, and I never saw him again. "Why do you smile, Mr. Morris?" he added, as the story was concluded. "Did you never," said Mr. Morris, "suspect who sent this person to you and employed him to watch your motions?" "No!" replied the General. "Did it never



occur to you that he was employed by me?" "By you, sir," said the General angrily, seizing the hilt of his sword, "and did you distrust me?" "My confidence in you," replied Mr. Morris, "was greater than in almost any human being. I knew that your mental resources were such that you could surmount difficulties and extricate yourself from embarrassments under which any other man would sink—but I knew at the same time, that if this money were left at your disposal, you would use it before the time of your greatest and most indispensable necessity arrived—therefore, being limited in the sum of money appropriated to your army, and sorely pressed myself on every hand, I found it incumbent upon me to provide for its being advanced to you, only when it became impossible for you to do without it." After a few moments' reflection, Greene said, "You were right, sir; I should, without restriction, have made use of it too early, and your precaution has been the means of saving my army."

It was of course previous to this, that Mr. Morris had been appointed by Congress to the office, as it was then called, of "financier," equivalent to the present Secretary of the Treasury; and we know of nothing in the whole history of the Revolution, filled as it is with the touching evidences of a self-sacrificing spirit, showing a more noble devotion, than the acceptance by Mr. Morris of the Superintendence of the finances of the country at a time when there was not only no money in the treasury, but when it was more than two millions and a half of dollars in arrears—and when General Washington presented in his *Military Journal* on the first of May, 1781, the following deplorable account of the State of the army and its destitution of resources:

"Instead of having Magazines filled with provisions, we have a scanty pittance scattered here and there in the several States. Instead of having our arsenal well supplied with military stores, they are poorly provided and the workmen all leaving them. Instead of having the various articles of field equipage ready to deliver, the Quarter-Master-General is but now applying to the several States (as the dernier resort) to provide these things for their troops respectively. Instead of having a regular system of transportation established upon credit, or funds in the quarter-master's hands to defray the contingent expenses of it, we have neither

the one nor the other—and all that business, or the greater part of it, being done by military impressment, we are daily and hourly oppressing the people, souring their tempers, and alienating their affections. Instead of having the regiments completed to their new establishments, scarce any State of the Union has at this hour one eighth part of its quota in the field, and there is little prospect that I can see of ever getting more than one half. In a word, instead of having everything in readiness to take the field, we have nothing; and instead of having the prospect of a glorious offensive campaign before us, we have a bewildered and gloomy prospect of a defensive one, unless we should receive a powerful aid of ships, land-troops, and money, from our generous allies—and these at present are too contingent to build upon!"

Such was the state of things when Mr. Morris was called upon to assume the labor of bringing order out of this chaos, to provide means where none existed, and to give a new tone and spirit to our languishing and fast failing hopes.

In this great dilemma, he did not hesitate a moment, but upon assuming his official station, immediately promulgated his determination punctually to fulfill all his engagements—drew his resources from his private fortune and credit, and thus suddenly changed the scene—the public deficiencies disappeared—all who could supply the public wants were eager to furnish whatever they had to sell.

Nor was this the only instance, as we have seen, in which he lavished his ample means, whenever he was unable to purchase what was needed by pledges of the public credit.

When appointed to the head of the Treasury, he wrote in reply: "In accepting the office bestowed on me, I sacrifice much of my interest, my ease, my domestic enjoyment and internal tranquillity. If I know my own heart, I make these sacrifices with a disinterested view to the service of my country. I am willing to go still further, and the *United States may command everything I have excepting my integrity, and the loss of that would effectually disable me from serving them more.*"

This acceptance of the office of "Financier," tendered to him by the unanimous vote of Congress, was upon the express condition, and the complete understanding, that the Public Debt, then

due, should be funded according to the scale of depreciation at which it had been contracted. The financier, contended that the country was in a condition to pay annually the interest on the amount then due, and he offered, if Congress would furnish him with the requisite authority, that he would call forth her resources. He represented that this measure alone could establish confidence; that it would enable him to borrow abroad the funds that were indispensable to the prosecution of the war; that the punctual payments it would secure for the supplies to the army, would enable him to introduce a rigid system of economy which would greatly reduce the public expenditure. It is well known that Congress never complied with the promise thus made. When applied to for performance, the reply was, Borrow! open a loan in Holland, and another in Spain. In vain was it rejoined that Europeans would not lend, having no confidence: "When applied to by agents in my employ," said Mr. Morris, "the answer is, invariably, 'You do not pay the interest of your present debt, and should, therefore, not expect further credit.'"

Fatigued, worn out and disheartened in his repeated appeals to the justice and integrity of Congress, he caused his resignation to be presented; when that body immediately passed, and served upon him an injunction of secrecy, and he was prohibited from making known, even to General Washington, that his resignation had been tendered. A secret committee was then appointed to wait upon Mr. Morris, with injunctions to insist upon his withdrawing his resignation; and to represent the disastrous consequences that would ensue from it. Mr. Morris again insisted, as a condition to his remaining in office, that Congress should immediately fund the existing debt; and that an act of Congress should be passed for his recall to office. The committee promised to use their strongest influence and best exertions to accomplish the former, but it was never done. The Act of Congress was, however, passed, and he resumed his official duties.

Among the well-known expedients resorted to by Mr. Morris, to resuscitate public credit, was the establishment of the Bank of North America, at Philadelphia. His partner, Mr. Thomas Willing, was appointed President, and Tench Francis, Cashier. The plan was digested and arranged by Mr. Morris, who, to

establish confidence, proposed a subscription among his wealthy fellow-citizens in the form of bonds, obliging them to pay, if it should become necessary, the amounts affixed to their names, in gold and silver, for the purpose of fulfilling the engagements of the bank. He headed the list with a subscription of £10,000, and was followed by others to the amount of £315,000, Pennsylvania money, or \$840,000. The directors were authorized to borrow money on the credit of the bank, and to grant special notes, bearing an interest of six per cent. The credit of the members was to be employed, and their money advanced, if necessary; but no emoluments whatever were to be derived from the institution. Congress, while they expressed a high sense of this transaction, pledged the faith of the United States effectually to reimburse and indemnify the associators.

Thus, through this patriotic band, under the influence of the Master Financier, was erected an institution for the purpose of supplying and transporting to the army three millions of rations, and three hundred hogsheads of rum; and that at a time when the public exigencies were the most pressing, and the public credit at the lowest ebb: and thus affairs rested until the ensuing year, when the Bank of North America was finally established under a charter from Congress.

The great difficulty to enable this corporation to commence its operations was, that of procuring specie to give credit to its bills. To ensure an adequate supply of this essential article, which was found to be very difficult, Mr. Morris proposed to the Governor-General of Havana, with whom he had previously had a personal acquaintance, to supply Havana, for a specified term of years, with flour at reduced prices. The amount of specie required was specified at three hundred thousand dollars; and to ensure confidence in the performance of his part of the contract, Mr. Morris induced the French Minister to guaranty, on the part of his government, the faithful performance of it. Such was the confidence entertained by the Financier in the success of this application, that he sent out the frigate *Trumbull* to bring home the specie. In the mean time the preliminary measures necessary to the bank's going into operation were taken; the President had been appointed, the new bills printed, &c., &c., when, to the utter disappointment of all concerned, the frigate returned with-

out a dollar. Baffled in his expectations of procuring the specie from Havana, the persevering and indomitable Financier did not give up the establishment of the bank, but immediately went to work to collect all the specie that could be obtained in the United States, which, after the most assiduous industry, resulted in collecting forty thousand dollars. This amount was accordingly deposited in the bank, and the moment the doors were opened they were thronged with applicants for specie, in payment for the special notes and for checks he had drawn upon it. The payment of these being promptly met, gave some confidence, but Mr. Morris saw that its small specie capital must be soon exhausted, unless measures were adopted to procure a further supply. He therefore employed agents to watch every person who had carried from it any amount of specie, and then took measures to obtain it again from its possessors, when it was immediately re-deposited; and this was closely followed up and practised for six weeks, at the end of which time its bills having been duly and regularly paid, its credit became so firmly established that the very drafts and bills, which at first were considered not to be any better than depreciated paper money, being found equivalent to specie, and more convenient in trade, passed current in all commercial transactions, at a specie value, and that article was seldom demanded of the bank; and when demanded, only in small quantities. In justice to the good faith which has been preserved by that bank, it is but proper to state that it is still in existence, under a charter from the State of Pennsylvania, and that it has ever faithfully fulfilled all its contracts; its notes now are, and always have been, punctually redeemed, except on those occasions when, under a general pressure, all the banks have been obliged to suspend specie payments. Its stock has always been above par, and no similar institution has ever been better managed. Thus, from the very commencement of the difficulties between the mother country and the colonies, had Mr. Morris borne a conspicuous part; always at the head of every measure which was resorted to for the purpose of obtaining money or supplies for the public service.

After the arrival of the French army the whole country was in the most eager expectations that some important blow would be struck; and General Washing-

ton's first intentions were to attack New York, then in possession of the British. In changing this determination, it is admitted by all, that Mr. Morris had a considerable agency; but the following detailed statement we have received from the most undoubted source, the son of Mr. Morris, of whom we have before spoken, now residing in New York. He received it from the great Financier himself, and we give it in his own words. "Mr. Morris' representation of his visit to General Washington at head-quarters, when the attack on New York was in contemplation, was as follows:—"

"I went from Philadelphia to head-quarters for the express purpose of dissuading the Commander-in-chief from his meditated attack on New York, and representing to him the immense advantages that must flow from his leading his army to Yorktown. Shortly after my arrival at camp I had an interview with General Washington, and during the time I was with him, I first suggested to him the propriety of abandoning his projected attack on New York. I represented to him that the loss of life and expenditure of money, which could not be replaced, would necessarily be great; that the success of the measure was, to say the least, doubtful; that even if successful the triumph would, as to results, be a barren one; that the enemy having the command of the sea could at any time land fresh troops and retake it, for that we could not afford to retain in New York, for any length of time, an army adequate, in point of numbers, for its retention. To all this the General assented, but replied, 'What am I to do? The country calls on me for action; and, moreover, my army cannot be kept together unless some bold enterprise is undertaken.' To this I rejoined, Why not lead your forces to Yorktown; there Cornwallis may be hemmed in by the French fleet by sea, and the American and French armies by land, and will ultimately be compelled to surrender. 'Lead my troops to Yorktown,' said the General, appearing to be astonished at the suggestion. 'How am I to get them there? One of my difficulties about attacking New York arises from the want of funds to transport my troops thither. How then can I muster the means that will be requisite to enable them to march to Yorktown?' You must look to me for funds, I replied. 'And how are you to provide them?' again demanded the General. That I am unable at this time to tell you, was my reply, but I will answer with my head, that if you put your army in motion I will supply the means of their reaching Yorktown. After a few minutes



reflection, the General said,—‘On this assurance of yours, Mr. Morris, such is my confidence in your ability to perform any engagement you are willing to make, I will adopt your suggestion.’”

We are aware that Judge Peters states, in his letter to Gen. Harrison, that he was present at head-quarters when the suggestion was made by Gen. Washington, of marching to Yorktown, but the narrative we have given was made by Mr. Morris himself to his family—and, as Judge Peters was incapable of making a false statement, it is most probable that, after the conversation, as narrated by Mr. Morris, in which he made no mention of Judge Peters or any other person being present, a subsequent discussion of this subject was had, in which both Judge Peters and Mr. Morris were present; and as it would be more respectful to the Judge, then at the head of the war department, and more so to the commander-in-chief, the first mention of the matter in council was made by himself. Be this as it may, the very circumstantial account given of this affair by Mr. Morris, can leave no doubt of its truth, when the great share he took in everything that was done, and his constant communications with Gen. Washington of the most confidential nature, are recollected.

When the army had reached Philadelphia, Mr. Morris’ public resources, and those borrowed on his private account, were exhausted. In this situation he was informed that the army having been for a long time unpaid, great discontent had manifested itself, and that, without some money being paid to the troops, it was apprehended they might prove refractory and refuse to embark from the head of Elk to the place of their destination.

In this new dilemma, the supplies having all been provided, Mr. Morris applied to the French Minister, the Chevalier de Luzerne, and solicited a loan of twenty thousand crowns, representing to him the immense advantages that would ensue from the capture of Cornwallis’ army, and the almost certainty with which such a result might be promised, if a payment could be made to the troops, so as to enable Washington to lead them on to Yorktown. He also painted in strong colors the danger of the failure of the whole project, should the money be refused. The chevalier was a man of sound sense, and was very anxious for the success of the expedition, while

he knew the threatened danger of its failure, from the refusal on his part to advance the money. He was, however, under the necessity of so doing, stating that he had barely on hand money enough to pay the French troops. It was true, he said, that he had been advised of two frigates having sailed from France with specie for him, but they were very much out of time, and he was fearful they had been captured—that had these frigates arrived, the amount asked for would be cheerfully granted—but that circumstanced as he was, no consideration could induce him to divert the funds put into his hands for the payment of the troops of his sovereign to any other purpose, without the certainty that it could be replaced in time to meet the requirements of the French army. Mr. Morris, anxious to increase the Chevalier’s interest in the affair, then proposed that he should take a seat in his, Mr. Morris’ carriage, on the following day, and go with him to the head of Elk, where the army was to embark for Yorktown. To this proposal the Chevalier readily assented, and they set out together early next morning. They had not ridden many miles before an express rider was perceived, pressing on, in headlong haste, to Philadelphia. Mr. Morris called out to the messenger and inquired for whom he was bearing dispatches. They were for himself. Instantly opening them, he found they contained advices of the arrival in the Delaware of the two frigates expected by the Chevalier. Assured of their safety, the Chevalier readily consented to furnish the money—and not long after their arrival at the head of Elk, the dissatisfied troops were paraded. But soon another feeling was produced, for drays were driven before them, containing kegs of half crowns—the heads of some of them were knocked out for effect, and the specie rolled out of them to the great joy and astonishment of the soldiers. They were then paid and cheerfully embarked for Yorktown.

The astonishment and delight of the army at this display of specie was of the most lively kind. One of the soldiers vociferated at the top of his voice, “Look! look, Jonathan! by jingo! it is hard money!”

We shall not dwell upon the glorious result of the attack upon Yorktown, which proved the crowning military act of the Revolution, and was the harbinger of peace. Our article is extending itself to a length beyond our limits, and



we must therefore look towards its conclusion. We cannot forbear, however, to give some further detached evidences of the invaluable services of Mr. Morris, which we have reason to believe have never been published.

The reader must long since have discovered from our narrative that there was one trait in Mr. Morris' character which crowned all others, and largely contributed to give him the immense financial power which he so ably wielded. This was *his unbounded, unswerving, never-ending confidence*, in the ultimate success of the struggle—and this, perhaps, is nowhere more conspicuously shown than in the following bold measure. Towards the close of the war the Chevalier de Luzerne had agreed to advance a large amount, the exact extent of which is not remembered. But when called upon by Mr. Morris to fulfill his engagement, the binding force of which he fully admitted, he stated that the pecuniary wants of his own sovereign precluded the possibility of that engagement being complied with. In vain did the financier urge upon the Chevalier the fatal effects of his non-compliance—the ruin it would entail upon the cause—he inflexibly persevered in his refusal—when Mr. Morris informed him the exigencies were so great, that he (Mr. M.) would take the responsibility and draw on the French treasury for the full amount of the stipulation. In answer to which he was informed by the Chevalier, that he would write and advise the protesting of the bills. But the confidence with which Mr. Morris was inspired, in the ultimate result, and that the contest must ere long end favorably to the United States, nerved him; and he drew the bills, accompanied with a letter to the Count de Vergenes, then Prime Minister of France, giving faithful details of the whole transaction, which resulted in the payment of the money, although the Chevalier also wrote, advising the protest of the bills.

The following letters will show more fully than anything we can say, the feelings of some of the most distinguished men of the Revolution, on the subject of the appointment of Mr. Morris as public financier.

*Extract of a letter from John Hancock, President of Congress, to Robert Morris.*

"I exceedingly approve your conduct with regard to the ships in your river, and think your officers discovered the spirit of men; at the same time, your interference,

under the circumstances, was absolutely necessary. I dare say, your disposition of the several armed vessels, after you are fully convinced of the removal of the ships from your capes, will fully meet the approbation of Congress. Without the least appearance of flattery, I can assure you your whole conduct, since our flight, is highly approved, and I am happy that you remained. Many agreeable consequences have resulted from it, and your continued exertions will be productive of great good. I must therefore beg you will continue as long as you can, though I sincerely wish you a happy sight of good Mrs. Morris; but I fear your departure from Philadelphia might occasion a relaxation that might be prejudicial. I know, however, you will put things in a proper way; *indeed, all depends upon you*, and you have my hearty thanks for your unremitting labor. The public are much indebted to you, and I *hope to see the day when those public acknowledgments shall be made you.*

"I hope we shall be able to return, or fix upon some other place of residence. As things have turned out, I am very sorry we removed at all; indeed I think we were full hasty enough: but your continuing there, and conducting business there, will give a spring, and, joined to the influence of our successes, will make up for the flight of Congress."

*Extract of a letter from Gen. Charles Lee to Mr. Morris.*

"You are, I find, placed at the head of the finances. It is an office that I cannot wish you joy of; the labor is more than Herculean; the filth of that Augean stable is, in my opinion, too great to be cleared away, even by your skill and industry; but however you succeed in this, I do assure you that you are almost the only man on the whole continent in whose hands the management of my personal finances I should wish should be deposited."

*Extract of a letter from Gen. Horatio Gates.*

"My conclusion from all this is, that if you can place public credit upon a solid foundation, let the operation be ever so slow, so that it be but sure, your fame will be immortal. Your taking up the business at this important crisis, is not only the more honorable to you, but will, I am satisfied, from the circumstances attending it, infinitely promote your success.

"When men see you promise only what you intend to perform, and that you build upon a solid basis, they will give you their utmost confidence; that obtained, your success will be apparent. Your head I know to be equal to everything official; your heart I will not say anything about,

lest you think me a flatterer, and that is a trade I am too old to learn or to practise."

*Letter from Dr. Franklin.*

"PASSEY, July 26, 1781.

"DEAR SIR—I have just received your very friendly letter of the 6th of June past, announcing your appointment to the superintendence of our finances. This gives me great pleasure, as from your intelligence, integrity and abilities, there is every reason to hope every advantage that the public can possibly receive from such an office. You are wise in estimating, beforehand, as the principal advantage you are to expect, the consciousness of having done service to your country. For the business you have undertaken is of so complex a nature, and must engross so much of your time and attention, as necessarily to hurt your private interests; and the public often niggardly even of its thanks, while you are sure of being censured by malevolent critics, who will abuse you while you are serving them, and wound your character in nameless pamphlets, thereby resembling those little, dirty, stinking insects that attack only in the dark, disturb our repose, molesting and wounding us, while our sweat and blood are contributing to their subsistence. Every assistance that my situation here, so long as it continues, may enable me to afford you, shall certainly be given. For, besides my affection for the glorious cause we are both engaged in, I value myself upon your friendship, and shall be happy if mine can be any use to you. With great and sincere esteem, I am ever, dear sir,

"BENJ. FRANKLIN."

*Extract of a letter from W. A. Livingston, Governor of New Jersey.*

"DEAR SIR—I heartily congratulate you on your appointment to the important office of financier, and I hope no consideration will prevail on you to decline it. I have long wished to see that department in the hands of one, and I am proud to find that my opinion respecting that one has now received the sanction of Congress. I am convinced, sir, that no resolution ever passed by that august assembly, will meet with more general approbation.

"The connexions you have abroad, sir, as well as the estimation in which you are held at home, will greatly redound to the benefit of the public, in your exercise of the office in question. In the name of liberty and of our independence, let us be indebted to your talents for being rescued from the brink of destruction! And yours be the glory of retrieving the state of our funds at this melancholy crisis of general despair. I am confident that no twenty arguments which even your ingenuity is able to suggest for your declining the appointment, can, in the cool impartial scale

of reason, weigh so much as a single one which I can urge for your accepting it—the good of your country."

*Letter from Peter Whitesides, Esq.*

"SIR—You are now called upon 'una voce' to the Department of Finance. A very serious object. The finances of the country a perfect chaos—if a chaos can be called perfect—the prejudices of the people, some in favor of paper money—some against it; the violence of party, the effects of envy and malice to combat with, inclusive of an immense sacrifice of private fortune as well as private ease; with a numerous list of ills that will present themselves; which may be guarded against, but must, nevertheless, all be experienced. Your situation is conspicuous, and your talents have so often been employed, that you will, on all occasions, be called on; and I foresee that your whole time and attention will be taken up in one department or the other.

"The people will expect your acceptance of this office, and look up, as to a new era, from whence all public operations are to resume their former strength and energy; they see that a mere speculist, or theorist will not answer; and in short, they figure you in everything as the only person for the employ.

"It gave me extreme uneasiness when you were chosen into the Assembly. It had the same effect in this last instance; but you must yield; we are not made for ourselves alone, and you are the least so of any one.

"It has frequently been in the power of one or a few men to save the country. A striking instance of the truth of this assertion was exhibited in the year 1776, when General Howe was at Trenton.

"I was then left alone with you in Philadelphia, and I am sure, that no more than two men can claim the merit of giving that sudden and agreeable turn to our lost affairs; for the most sanguine then deemed them lost. Yours truly,

"PETER WHITESIDES."

Having thus given a sketch of the public services, as we must think, of one of the most extraordinary men of the Revolution, of the Atlas upon whose broad shoulders rested a portion of the western world, then but thinly peopled, convulsed with the throes of revolution, engaged in a merciless contest with a nation second to none in power and resources, we now claim the privilege of adding a few private anecdotes, which will not be found to possess less interest, though of a different nature.

The celebrated naval hero, Paul Jones,

constituted Robert Morris his executor, and by will bequeathed to him as a token of high regard, the splendid sword which had been presented to that chivalric naval officer by the King of France.

The modesty of Mr. Morris, for which he was so remarkable, would not permit him to retain this tribute to valor. He conceived, therefore, the idea that it was due alike to the donor, and to the naval service of the United States, that it should be in the possession of the oldest commander of the American Navy. Accordingly, he presented it to the late brave and distinguished Commodore Barry, with an understanding that it should be by him transmitted by will to the senior officer of the Navy, who should succeed him.

Accordingly Commodore Barry devised it to his successor, the valiant Commodore Dale. Since the death of the latter officer, this sword has been in the possession of his son. Whether given by will, or retained as heir-at-law, is not known. It is nevertheless fresh in the recollection of a member of Mr. Morris' family now living, that when he was about to present the sword to Commodore Barry, a wish was expressed by Mrs. Morris that it should descend as an heirloom in their own family; to which her husband replied, that being himself neither a military nor a naval man, he thought it more appropriate that it should now be given to the senior officer of the navy, and from him should descend to the senior officer for the time being, not only as a memento of royal favor to a naval hero, but as indicative of the friendly feeling of the French king to the cause and the service of the United States.

Such a trophy in the hands of the officer of highest rank in our naval service, would undoubtedly be most appropriate, and it is therefore to be regretted that the intentions of the liberal donor who placed it in the possession of the first senior officer of the American Navy, under the circumstances named, have not been carried out.

It is well known that the latter part of Mr. Morris' life was embittered by the total loss of his large fortune. There is nothing more sorrowful than the thought of so sad a finish to the career of such a man. Yet so it was to be, and the State of Pennsylvania, for which at several times he had advanced hundreds of thousands of dollars, and to whose services he had devoted much of the prime

of his life, looked on and saw him sink into the depths of ruin, without affording the slightest aid. Alas! he who, "with an eye that never winked and a wing that never tired," had soared to the heights of patriotic devotion, and been the companion of the loftiest, the noblest, and the best, during the long struggle in which a nation won the right to exist—perhaps through that same energetic nature which perilled a princely fortune for the general weal—yielded to the mania for speculation in landed estate, which followed upon the close of the Revolution, and which overwhelmed some of the largest capitalists of the country. The want of money to comply with his immense contracts for the millions of acres of back lands which he purchased, plunged him in deeper and deeper, till some merciless creditors threw him into prison. This even could not subdue his great spirit. The consciousness of unsullied honor and honest motives, was a support that never failed him—the vigor of his mind was never subdued, and while he saw around him the wreck of his hopes and expectations, he submitted to his fate with dignified resignation. While confined in prison the mechanics of Philadelphia repeatedly made him offers of pecuniary relief, assigning as a reason, that since in his days of prosperity he had always aided to advance their interests, and showed himself their friend, it was right that in the hour of his adversity they should do whatever they could to alleviate his misfortunes. Deeply touched as he was by this generous sympathy, he gracefully declined the proffered aid, preferring to bear his own burthens rather than diminish the small means of those who had earned them by incessant toil.

In connection with his misfortunes, a story has obtained currency which has no foundation in truth, and which we are authorized to contradict.

An annuity of fifteen hundred dollars was paid to Mrs. Robert Morris during her life, by Gouverneur Morris, Esq., of this State, and it has been incorrectly believed to be a donation from that gentleman, when it was a sum of money converted into this annuity granted to Mrs. Morris for the relinquishment of her dower on four millions of acres of land sold by her husband to the Holland Land Company, Mr. Gouverneur Morris being the agent through which the payment was annually made.

This small pittance was left! and was



all that was left! of that splendid fortune which we have seen to have been lavished in loans for the public service, when its return was most doubtful.

Private or public liberality was never extended either to Mr. or Mrs. Morris, or to any of their descendants; and although in the days of his prosperity some empty acknowledgments may have been made to the man on whom John Hancock has left the record, *that all depended when all was in imminent danger*, yet was that man suffered to languish in sorrow and distress, *when all was accomplished!* and finally abandoned, to go down to the grave deprived of every power to provide even for the support of a family which had been reared in affluence.

We feel that we are treading upon sacred ground in touching this delicate subject—risking the possibility of wounding that native modesty and honorable pride in his descendants which has hitherto preferred “to suffer the slings and arrows of outrageous fortune” in silence, rather than ask from magnanimity what should long since have been awarded to justice! Yet thus much we have felt it was but right to say, (without their authority,) not envying the sensations of those, be they whom they may, that can read even this slight sketch of our revolutionary history without feeling that of all the instances of public ingratitude of which we have any record, the fate of the financier of the Revolution and his family furnishes the most flagrant and unaccountable example.

From a portfolio of private complimentary letters from Washington, Franklin, Madison, Hamilton, Lafayette, Kosciusko, Louis Phillipe, Talleyrand, Neckar, Gates and others, heroes of the Revolution, which we have been kindly permitted to examine, we have selected one from the father of his country, which has never before been published. It is addressed to Mrs. Morris, and shows that Washington, up to the latest period of his life, felt the most lively interest in his compatriot, Mr. Morris, and the whole family. The letter is the more valuable, bearing the signature both of him and of Mrs. Washington. It was written in September of the year in which Washington died.

“MOUNT VERNON, }  
Sept. 21st, 1799. }

“OUR DEAR MADAM—We never learnt with certainty, until we had the pleasure

of seeing Mr. White (since his return from Frederick), that you were at Winchester.

“We hope it is unnecessary to repeat in this place, how happy we should be to see you and Miss Morris under our roof for as long a stay as you shall find convenient, before you return to Philadelphia; for be assured, we ever have, and still do retain the most affectionate regard for you, Mr. Morris, and the family.

“With the highest esteem and regard, and best wishes for the health and happiness of the family you are in, we are, dear madam, Your most obedient and

very humble servants,

“G. WASHINGTON.

“MARTHA WASHINGTON.

“To Mrs. Morris, in Winchester.”

Having introduced the name of Mrs. Morris, it may not be irrelevant to remind the reader that she was the honored sister of the late Right Rev. William White, the pious and highly esteemed Bishop of Pennsylvania.

Here, then, we close this somewhat desultory and imperfect memoir; referring our readers to Marshall's Life of Washington, the writings of Mr. Sparks, and the Lives of the Signers of the Declaration of Independence, for full details, from which it will be made manifest that Mr. Morris was relied upon on all occasions. Was a measure to be proposed in Congress, his counsel was sought for and obtained! Was a claim to be adjusted, it must have his supervision. Was an office of importance to be filled, he must help to decide upon the fitness of the candidate! Was a movement to be made with the armies, its appropriateness must have his sanction. Was a command offered to a general officer, he sought out Mr. Morris, and took his advice on the acceptance of it. And as to furnishing means and supplies, it would really appear as though it was never doubted, he would prove with respect to them, like the rock of Moses in the wilderness, which needed only to be smote to send forth its streams to supply the perishing Israelites.

We have no words to express the intense interest with which even this short sketch has been prepared; nor to set forth the ardent desire we feel to stir up and keep alive a remembrance of the illustrious dead. They have passed away without a knowledge of the streams of human happiness and prosperity which have flowed from their labors. Yet surely to the millions who are now the im-



mediate recipients of these blessings, everything which relates to the sacrifices by which they were purchased, must serve to confirm their inestimable value.

To some of our readers much of what is herein related may have been previously known; but the actions of such men as must occupy the foreground of a picture of any scene of our revolution cannot too often be presented for contemplation. All ages, all nations, have boasted of their heroes, their illustrious men; but the brightest pages of history may be challenged for the superiors of those who first established upon a firm basis the freedom of the western world!

Among these the thoughtful mind of the student of history will most often rest

upon the names of Washington and Morris. For with that great man, who always rises before us in the annals of the Revolution, calm, inflexible, sagacious, undismayed—the immediate delegate of Providence—we feel that the subject of this imperfect sketch was scarcely less a presiding genius over the long and arduous struggle.

Their memories must go down to posterity inseparably connected: for the foundation of this vast empire—covering now the breadth of a continent—never had been laid by the matchless generalship and valor of the one, without the untiring energy, and incomparable munificence of the other.

#### SILLIMAN'S AMERICAN JOURNAL OF SCIENCE AND ARTS.\*

"**NOTHING,**" says Humboldt, "but serious occupation with chemical, mechanical, and natural studies, will defend any state from evils assailing it on the side of ignorance, poverty, vice and superstition."

Through nature dead and inert,—the gross material of earth,—we are fed and sustained; a condition in which we differ in no respect from inferior animals; "the aim of all is but to nurse the life;" *our* greatness and excellence appears only in the wit, the ingenuity, the economy, the Reason;—forcing into our service all the powers of nature; subduing the mountains, rivers, winds, metals, earths, vegetable products; converting vile of-fal into sustenance and comfort.

The tactics of this war against dead matter we call Science—the practice of it, Art.

There are journals, military and educational, gazettes of commerce and war; but of this prime instrument of civilization, this Science and Art of subduing nature, should there not be as many and as well known?

We ask this question of our own country only; in Europe, scientific journals are well sustained and greatly respected.

We admit the impossibility of reducing all that is excellent or desirable to the rule of utility; but utility itself is subordinate to consolation, and of all consolations that of knowledge is the greatest; nay, it is consolation itself.

With these general observations, which in the present state of knowledge may possibly appear trite and unnecessary, we come to a more particular notice of the work before us, a Journal of Science, one of the most respectable in the world, supported in America, and which has completed its first series of fifty volumes—a compact body of real information—a bulletin of the progress of exact knowledge in America and in Europe—a testimony to the world, that there are liberal spirits, and wise intellects enough on this side the Atlantic, to carry the nation forward in the road of knowledge and true enlightenment.

A person unaccustomed to reflection, casually taking up a number of this journal, would probably find himself disappointed—would even see no possibility of reaping any good from it. He opens, perhaps, on an analysis of manures, an account of a newly-discovered metal, or a table of the trade winds. These are rather dry topics, and have no

\* The American Journal of Science and Arts. Conducted by Professors B. Silliman and B. Silliman, Jr., and James D. Dana. Second Series. No. 8. March—May, 1847. New Haven.

influence upon stocks or the tariff;—to a man familiar with science, on the contrary, or even but slightly initiated in it, (an initiation easily attained,) nothing could be more attractive.

Say, for example, that he is an agriculturist, either by necessity or by choice; he finds it very important to his happiness (supposing always that he is a man of intelligence), to know the reason why his fish manure injured one field and benefited another; with a knowledge of the cause, he changes his plan, and instead of a judgment of Providence, finds only a judgment of nature, against himself and his neighbors; which conduces as much to charity as to prosperity.

Or, let him be a merchant, and an owner of ships; the trade winds and the hurricanes are matters of great interest to him, though all his knowledge be unable to prevent them. As invalids are curious to know the history and nature of the disease which afflicts them, he will doubtless find a reasonable pleasure in tracing the laws and courses of the winds that plague him.

Here, as in other instances, the pleasure is not immediately joined with the utility of knowledge; but this separation must be attributed to the imperfection of the knowledge itself; for we know that a complete science of any business ensures perfect success in the pursuit of it.

Political economists have never been able to complete their science, or to render it immediately useful—the most they have attained has been to destroy certain antiquated prejudices. The difficulty with them lies in their neglect of moral causes—or, more properly, in their inability to anticipate or express them. But in those sciences which more immediately affect us, in chemistry, agriculture, astronomy and the useful arts, moral causes have no influence: all is within the grasp and under the eye of experiment and observation. Experience is able to perfect itself and triumph over all obstacles.

Nor is it less desirable in the view of general enlightenment and education that works of the description of this journal should be freely circulated. The advances of a nation in numbers and wealth are but an advance toward barbarism and corruption, unless the instruments of knowledge keep pace with the numbers and the means. But this is a worn out topic. We must act more and talk less, or more to the purpose.

The publisher of a good elementary chemistry, or scientific class book, does more for the cause of liberty and enlightenment than the loudest declaimer on progress and the spirit of the age. The one moves our astonishment, the other our gratitude and respect. The one earns a noisy reputation, the other confers a solid benefit on his country.

The second series of the Journal which gives us an opportunity for these more general remarks, appears with the addition of a valuable name to the editorial department, and a better attention to the miscellany and bulletin of foreign information.

With the greatest respect for the judgment and experience of the editors, we would suggest to them, as we are their readers, and in a measure dependent on them for our small but precious stock of scientific information, a more frequent return to the first principles and common facts of science, whether in the form of summaries, series, monographs, or theoretical discussions. By these, the general reader may be rapidly and easily informed, and the body and spirit of each department, as a whole, be maintained and kept together. Locallists, remote discussions, minute analyses, topics of synonymy, and mathematical formulas, however necessary and admirable in their place, are necessarily tedious and unprofitable to the general reader, and not always beneficial to the scientific one.

What, for example, could be more agreeable or profitable to the geologist, or even to the general reader, interested in science, than the paper in the March number on the causes of the formation of volcanic chains, in which the author resolves for us a vast and difficult problem, showing easily and with a masterly simplicity, the effects of the gradual cooling of the earth's crust; or that later one by the same hand, which compares the volcanoes in the moon, studied on German maps, with those of the South Sea Islands, and identifies their form and character? Thus, the diligent industry of a German observer is converted to its proper use by the quick brain of an American savan, who knows how to unite observation with theory.

Or what more curious information to the intelligent farmer, or naturalist, than this history of the seventeen year locust; where we read that a grub hatched from the egg of that insect, after attaining its proper growth, precipitates itself volun-

tarly from the tree where it fed, and entering the ground in the manner of a mole, remains there for the extraordinary period of seventeen years, when they come to the surface, in panoply, and make the woods resound with their myriad murmurs.

Here, too, is a paper on the mounds of the West, the monuments of the extinct races: mounds of sacrifice, of burial, of commemoration.

Here, too, is an explanation of the fairy rings of pastures, the first which we remember to have seen, and true upon the face of it.

But what need of dwelling upon particulars; we can only repeat, that the true end of science is enlightenment; an enlightenment which defends us against fear, and places our prosperity, as far as the Creator will permit it, in our own hands. But the true means of this enlightenment lies more about the heart, and simple elements, of things. The learned and the scientific wander too easily into the byways and nooks of knowledge, and while they linger there amusing themselves with minuter matters, the world moves on and forgets them.

The fiftieth volume of this Journal, completes the first series, and is the Index volume of the whole. This has been prepared with the greatest labor and care, and presents a vast amount of the most valuable and interesting matter. In the very full preface to this volume, we find a history of the undertaking and of the motives which led to it. As a piece of scientific history it will always be interesting and important, as marking the progress of science in this country, and showing the disinterested energy of its patrons and supporters. The work it appears was never profitable, often an expense to its originator, and carried on by him rather from the honorable motives of patriotism than for any hope of profit. That it should have become a means of the greatest influence and respectability to the projector himself, and to the venerable institution with which he is connected, was to be expected; that it has more than any other periodical served the cause of enlightenment and progress, is an opinion which we are very willing to rest upon our own experience and observation. Coming in an-

other generation we have felt the benefit of the labors of those who went before us.

A few words in regard to the plan and spirit of the work may not be uninteresting or inappropriate.

"This Journal is intended to embrace the circle of the Physical Sciences, with their applications to the arts, and to every useful purpose." "This is designed for original American communications; it will also contain occasional relations from Foreign Journals, and notices of the progress of Science in other countries." "It is also within its design to receive communications on Music, Sculpture, Engraving, Painting, and generally on the fine and liberal, as well as useful arts." "Notices, Reviews, and Analyses of new Scientific works, and of new inventions, and Specifications of Patents." "Bibliographical and Obituary notices of Scientific men," &c., &c. "Communications are respectfully solicited from men of Science, and from men versed in the practical arts."†

"In every enlightened country, men illustrious for talent, worth and knowledge, are ardently engaged in enlarging the boundaries of Natural Science; and the history of their labors and discoveries is communicated to the world chiefly through the medium of Scientific Journals. The necessity for such journals has thus become generally evident. They are the heralds of science; they proclaim its toils and its achievements; they demonstrate its intimate connection as well with the comfort as with the intellectual and moral improvement of our species; and they often procure for it enviable honors and substantial rewards.

"In England, the interests of Science have been for a series of years greatly promoted by the excellent journals of Tillock and Nicholson; and for the loss of the latter, the scientific world has been fully compensated by Dr. Thompson's Annals of Philosophy, and by the Journal of Science and Arts published in London.

"In France, the *Annale de Chimie et de Physique*, the *Journal des Mines*, the *Journal de Physique*, &c., have long enjoyed a high and deserved reputation. Indeed there are few countries of Europe which do not produce some similar publications.

\* Preface to Index volume, p. v.

† Ibid., p. vi.

"From these sources our country reaps an abundant harvest of information.

"But can we do nothing in return?"

"Among the cultivators of science among ourselves, and who are now a rapidly increasing number, are persons distinguished for their capacity and attainments, and amongst them there is an evident disposition toward a concentration of effort."

"Is it not, therefore, desirable, to furnish some rallying point, some object sufficiently interesting to be nurtured by common efforts, and thus to become the basis of an enduring common interest?"

To produce these efforts and to sustain this interest, nothing perhaps bids fairer than a Scientific Journal."

By such arguments, who, that loves his country, and sympathizes with her highest interests can fail to be affected,—nay, to be convinced!

The honor of the country is concerned in the prosperity of its own proper offspring, for this journal is and has always been a strictly national affair—as much so, as strictly so, as the Constitution itself. It belongs not merely to those who read and understand works of science, but to all who favor truth, enlightenment and national honor.

### "THE AGE IS REVOLUTIONARY."

A person, reported to be one "of great intellect and learning," is said to have declared in a lecture of his on the revolutionary spirit of the age, that this age might be "characterized,"—distinguished from all previous ages,—as revolutionary, and marked everywhere by "a spirit of discord."

It is not difficult in this country, or in any other, to persuade a promiscuous audience, brought together by curiosity and wonder, of one's great intellect and learning; especially in that field of phantasy and self-delusion called "Philosophy of History." We may therefore safely pass over the reporter's addition, "of great intellect and learning," as touching neither here nor there upon the matter in hand; nay, if it is insisted on, we may admit it, with the reservation that great intellect and learning may be even in the realm of confusion, and may be joined with a total want of political tact, and a profound ignorance of the spirit of the age, be that spirit as active or passive as it will.

Before admitting the proposition, that this age is revolutionary, and denying as we mean to deny, that it is marked by a spirit of discord, it may be well to make some brief inquiry into the meaning of the words "Age," "Spirit," and "Revolution;" precision in these particulars being convenient, if not momentous.

The word Age seems to have several meanings, as for instance, when it signifies a space of three centuries from Lu-

ther's Reform to the present epoch, characterized by the founding of the inquisition and of the Liberty of Protestant Germany at its beginning, and of Bible Societies and Santafedisti Societies at its close: the first of these latter for the extension of peace and religion among all nations, the other for the secret and open massacre and torture of all who profess not the papistical faith.

An age of such limits, begun and terminated by such a pair of institutions, so singularly matched against each other, is an age worth study, and affords materials for very profound Philosophies of History.

Or second, the word Age may be taken to signify the 19th century, characterized by the triumph of the Bourbons, the fall of Napoleon; the division of Poland; the subjugation, death or exile of all the free spirits of Italy; the conquest of the Afghans; the attempts of France against certain harmless South Sea Islanders; the ravage and seizure of Algiers; the subjugation of the French people by a custom despotism; the assumption of the liberties of Cracow; the union of France and Spain; a war of conquest undertaken by the United States against Mexico; the quiet of the Canadas; the growing power of the Russian Autocrat; the bastions of Paris; the successful machinations of the Jesuits; despotism thinking itself triumphant, and liberty seeming depressed and low! This is the second sense in which



we may take the word Age; a very forcible sense.

In this latter sense, far from being inspired with discord, or a spirit of revolution, this age seems to us quiet and orderly.

In the third sense of the word *Age*, by which it is restricted to the last twenty years or thereabout, and to the development of certain forms of opinion which show more favor to individual liberty than is agreeable to learned advocates of implicit obedience,—in the use of this third sense we must keep within limits and be more specific: we must admit that this Age is peculiarly revolutionary; subject to a revolution of opinion, slow, gradual, profound, working in the very heart of civilized humanity,—strengthening and spreading among the people the conviction of a truth which it was once the privilege of philosophers to know—that obedience to the Law is nothing until the Law itself be good—and that for this reason law itself must be left open to continual reformation, and society to a slow but continual revolution about its centre;—that this revolution and reformation, like the conduct of a wise man's life, must be from instant to instant, from day to day, from year to year;—remoulding all that becomes shapeless or antiquated, replacing all that falls to decay; not only in the family, in the state and in private conduct, but even in the sacred edifice of Religion; stripping away its cruelties, its grossnesses and its superstitions, purifying it by a return to first principles, and filling out the original design—a design so vast it must embrace all human knowledge, all science, all philosophy, all experience. This continual reformation, and slow revolution of all the institutions of society about their centres—or in another metaphor, this completing of the great order of reason, in the plan of the social edifices of Manners, State, and Religion, has been named, by some, conservatism; but it is rather an adherence to the first principles and a carrying out of the original design of Christian society than an obstinate and ignorant conservation of errors and abuses.

We may venture to characterize this age, therefore, not as an age of discord and mutiny, but as an age fully awakened to a conviction that obedience to a devil is no virtue; and that, therefore, obedience in the abstract is no virtue;—in a word, that whatever be said of chil-

dren, mature men must know what God they worship, and what laws they obey.

As a natural consequence, a spirit of rational inquiry has put the more sensible part of mankind upon investigating the spirit and origin of all institutions.

In the state it is discovered that all great evils and mutinies spring from arbitrary power, exercised by individuals or by the multitude.

Under this conviction Italy has sworn to have a government of law—a constitution—cost what it will. They have tried implicit obedience sometimes, and mad anarchy at other times, and found them both wanting.

Prussia, acting under the same conviction, has set aside the principle of implicit obedience for that of a rational obedience, which knows what it obeys;—Prussia has sworn to have a constitution cost what it may.

France has secured herself a constitution subject to perpetual amendment.

England is perpetually modifying, reforming, and revolutionizing her constitution, with reference to the good of the whole.

The Catholic Church and all other churches, let them express what horror they please, have found it hard to kick against the goads; they must reform and be revolutionized;—they are very rapidly recurring to first principles, for the love of mere existence.

Rome, the Eternal Bigot,—Rome herself—has sworn to have a constitution, and a government of laws; by a long experiment of one thousand years, the principle of irrational obedience has been tried by her and found to be an error.

If the meaning of the word *Age* is now sufficiently clear, that of "*Spirit*" comes next in order.

A Spirit surely is something immortal, like Liberty and Law.

Spirits united with God have free wills, it is said; those which are not so united, have wills enslaved. True Liberty in the state is, therefore, a very glorious principle, being a proof of Divine favor.

Now we are bound to say, that we think that no age has ever received stronger proofs of Divine favor to its *Spirit*, for no age ever showed a deeper and more universal respect for the Sacred First Principle of the Soul, the Freedom of the Will.

But there is everywhere, say you, a mutinous spirit, "a spirit of discord."

No, that is not so. On the contrary, there is rather a spirit of union of one sort among the sovereigns, and of union of another sort among the people. The rulers were never so unanimous—the people were never less divided.

The people of Italy, for example, have come for the first time since the extinction of the great Roman Empire to feel themselves a people—a nation—and agree most perfectly in hating their Austrian tyrants, and hoping for an advent of liberty and a Free Constitution; whereas, heretofore they have always been at war among themselves, kept in a perpetual broil by the intrigues of the priests, the Pope, and the Princes: for which read the history of Italy *passim*.

The people of Ireland, too, are at length beginning to feel themselves a nation, and agree most surprisingly in many aspirations; but, until very lately, nothing of the kind was looked for, and nothing heard of from that quarter, but narrow provincial jealousies and civil dissension.

The people of Prussia, instead of divisions, discords and petty discontent, have come to an almost unanimous opinion that they must have a Constitution. Whereas, heretofore, they were chiefly busy with their kings in the wars of Europe or of Europe's kings.

In Russia we hear only of consolidation, and making of many nations into an empire; there, too, consolidation and harmony is the theme.

In China, the people are faithful to their government; they have no Jesuits to foment divisions.

In Afghanistan there is a wonderful unanimity in hatred of foreign oppression.

In Algiers the number of the traitors and discontents is few; all that dare, unite against the common tyrant.

Spain is indeed, like South America, in a terrible broil—they have not reduced their princes and priests sufficiently—but there is hope even for Spain.

Belgium and Holland are diligent in business; and look principally to stocks, railroads, manufactures, and the like, for contentment; they are not, indeed never were, a revolutionary people. A Spanish Duke of Alva was needed, with horrid persecutions, to make them revolt; still, it is by no means certain that a sharp application of the pincers of St. Dominic, and the bridle of Loyola, might not throw them all into confusion again, little as they love revolutions.

Sweden is quiet, apparently occupied in meditation.

Poland is very quiet indeed.

Austria shows no restlessness or hankering for revolution. In Luther's time, and in Voltaire's, she showed a great deal of uneasiness.

The cities of the Rhine, and the States of Northern Germany, are either merchandising or studying, or making a feeble movement against their priests; whereas, up to the present time, their history teems with reformations, martyrdoms, and foreign or civil wars.

Between the people of the New, and the people of the Old World there is sprung up not hatred and a war, but a singular sympathy and unanimity. Ireland, Italy, and Poland, send all their exiles hither to make common cause.

The Kirk of Scotland with great unanimity retires from its dependence on the government.

The people of Rome, with the Pope at their head, with one voice cry out for a constitution and to have their hands untied.

The people of France were either never less able or less willing to engage in civil war than at present. They seem to be of one mind; feel themselves to be one nation; yet do not know exactly what to think of their government, whether it dishonors them, or they it.

England is just now agreed about the badness of corn-laws, and they are accordingly abolished.

Then, if we look at governments, there seems to be a charming amicable spirit among the sovereigns of Europe. Instead of fomenting jealousies, and getting together by the ears, they marry and are given in marriage, they send presents to each other, and form tacit holy alliances; they are become nursing mothers and nursing fathers to their people. Their hope and pride is the dear people, whom as an infant in swaddling bands, which they humorously name Bastions, Spielbergs, and Iron Steamers, they look upon with pride, longing with a trembling pleasure for the day when it shall rise into manhood and tenderly relieve its dear parents of their heavy charge. To this end they educate it, and give it all manner of instructive toys; railroads, books, free-press, &c.; it has but to cry and stamp a little to get what it wants.

Surely, so amiable and unanimous an age cannot be called revolutionary! It were unjust.

What is a revolution? A change in opinions, manners, constitutions, partial or complete. We are oppressed, and we violently cast off our oppressors; we lie grovelling in ignorance, and demand schools; we are robbed by monopolies, and demand that there be no monopolies; we are starving for bread and demand the free admission of grain; we are ruined by foreign competition and must have our ports closed against it; these are revolutions, or reformatations, or what you will, but call them by the worst name that bigotry and tyranny can invent, they are, nevertheless, the safeguards, the evidences, and the vital acts of liberty, not of that miserable political sham which is called liberty, the being equally dealt with by bad laws, but of that inherent and indefeasible freedom lodged in every true man's breast, which will not let him rest until he is responsible to none but his Maker for the free acts of his body and his reason.

Indeed, it cannot be denied that this age is revolutionary—so have been all ages, or at least all that men respect. But to go no farther back, let us begin with that great Israelitish Revolution, when the chosen race of God rose against the priests of Egypt, and puritanically marched into the wilderness, led by the Most High. A little farther and we light upon other revolutions in the history of that misguided people, who, perpetually sinking into apathy, under a priesthood leaning to idolatry, were roused to revo-

lution and massacre, and the destruction of temples and high places, by the voice of a Samuel, an Isaiah, or a David. Or what shall we say to that grandest of all progresses, or revolutions, the introduction of Christianity, which came bringing not "peace, but a sword," and by the power of the word, parents were set against children, and children against parents, and nations crushed and trampled under foot for the long period of five centuries in that great revolutionary epoch of humanity? Advance now to the crusades; the whole Christian world against the whole Mahomedan, for five centuries also.

Revolution upon revolution; the history of man is a history of revolutions, and of progress, even to our day; but ours are petty and ridiculous compared with those of the earlier ages.

The battle of life is never done, ever to be fought; through the night the mischief collects, the evils have crept in—rushed in—and must be swept, hurried, hurled back to whence they came.

It has now come to this, that instead of long periods of lethargy and idle inobservance, alternating with furious struggles to break the toils thrown over us in our sleep, we keep a constant vigilance, and consider ourselves as undergoing a ceaseless reformation and revolution.

"The price of Liberty is perpetual vigilance."

## NAPOLÉON AT ST. HELENA.

### THE RUMOUR OF AN ATTEMPTED RESCUE IN 1818.

As anything connected with the life and times of this great and extraordinary man is interesting to the public, and especially to Frenchmen, it is proposed to record the facts which gave rise to the above vague report. They were derived from the lips of a lamented officer now no more; and although some slight allusion to them may have been made in the newspapers of the day, it is believed they were never given to the public in a detailed or authentic form. In doing so now, we shall have to introduce them by some collateral circumstances, interesting in themselves and so closely connected with the subject, that they cannot well

be dispensed with. But the occurrences are strictly true, and discarding all attempts at "fiction founded upon facts," for which the writer has neither taste nor talent, he proceeds at once to the facts themselves, and will confine himself to the plain and simple yet highly interesting tale which he so frequently heard related by his lamented friend, whose noble spirit took its flight from "life's checkered scene" more than twenty years ago.

It must be fresh in the recollection of most of our readers that about the time of the termination of the last war with Great Britain, and of the peace of Europe

and the confinement of Napoleon at St. Helena by the "Holy Alliance," the South American colonies were struggling for their Independence, in which struggle, thousands of our brave officers of the late war felt the deepest sympathy. Among the most prominent of the states thus struggling for liberty was Buenos Ayres; and it is well known that many of our private armed ships, rendered by the peace almost valueless as merchantmen, were sent out there for sale, and the young Republic was having several constructed in the ports of the United States, the largest and most important of which was one at Baltimore, pierced for forty-four guns, and at that time believed to be the most splendid frigate ever built in this country.

This fine ship, whose *neutral* name was "Clifton," was placed under the command of Captain Clayton of Baltimore, (the present worthy old commodore,) and no sooner was it known that she would take, passage free, such American gentlemen of character and standing as were desirous of receiving commissions in the Buenos Ayrean Navy on their arrival there, than hundreds of our gallant officers who had been thrown out of commissions by the peace, flocked to Baltimore, and some fifty or more took passage in the "Clifton." On the arrival of the ship at Buenos Ayres, her armament being already in her lower hold, she was soon made "ship-shape," and the requisite number of officers put in commission, among whom was my friend Capt. S——, from whom these facts were derived, and a son of an eminent jurist of New York, the late Br—— L——n. This splendid ship of war unfortunately was lost on her first cruise on her way to Valparaiso, and with her perished the high hopes of many of her brave officers who were seeking fame in the navy of the new republic. The most of them found their way back to the United States; a few, however, were determined to push their fortunes further.

On their return to Buenos Ayres, they found among the vessels there in port for sale, the beautiful New York clipper brig ——, which had run with such remarkable success and eclat as a letter-of-marque between New York and France during the war, and had made so much money for her enterprising owners, the then firm of P. & H. This brig, mainly through the influence and liberality of Don de Forest, afterwards Con-

sul-General to the United States, and long a resident of New Haven, was bought by the Buenos Ayrean government and put in commission under the name of "Chacabuco," mounting sixteen guns, with a full compliment of gallant officers, chiefly American, and a large crew composed however of sailors of almost all nations. The writer cannot at this late day recollect the names of all the officers as mentioned by his friend, nor is he certain that that of the commander was R——. But his friend Capt. S—— was second in command, the New York gentleman before alluded to was captain of marines, and Doctor B., now or late of Florida was the surgeon: my friend always spoke of the officers of the "Chacabuco" with great kindness and affection, and the writer exceedingly regrets that their names have escaped his memory, as doubtless many of them survive and might furnish very interesting details in this narrative of the first cruise of a vessel whose name might have figured largely in the history of the times as the fortunate ship which rescued from the "rock in the ocean" the mightiest general of the age.

Never was a ship better equipped than the Chacabuco, and never were gallant officers more intent on seeking an enemy and at the same time seeking fame: she was what sailors call a "fancy craft," and sailed like the wind. The only drawback on the high hopes and happiness of her officers was the occasional and increasing illness of her noble commander. That gentleman, formerly an officer in the American navy, had been on some former occasion severely wounded in the head, and at times was so much indisposed as to almost amount to insanity. The anxiety and excitement of fitting out the Chacabuco brought on a recurrence of his complaint soon after getting to sea, and it became apparent to all, that the first Lieutenant (whom I have called Capt. S—— but whom I shall now designate as Lieut. S——) must become in point of fact the commander for the cruise.

In about thirty days she captured a prize from Calcutta, and from papers found on board learned that two large and valuable letters-of-marque ships belonging to the Royal East India Company of Spain were soon to sail for Cadiz—the officers of the prize confirmed these facts, and added that they each had cargoes valued at half a million or more—were strong-



ly armed and fully manned—that one of them was frigate built, and was formerly the old American frigate the “Warren,” sold out of the service after the peace of ’83—that they would sail in company for mutual protection, and would touch at St. Helena for water, &c. Here, then, was a fine opportunity for the Chacabuco to distinguish herself and win golden opinions and golden prizes at the same time, and she lost no time in bracing up for St. Helena, confident that with favorable winds she might reach there some ten or twelve days before the heavy ships in question. I need not speak of St. Helena, nor of the strong and vigilant force stationed there by the British government to guard safely the “world’s prisoner,” nor need I describe the harbor of Jamestown and the only accessible landing-place—they were well protected by the natural defences and a ship of the line; but there was another place just round the promontory where it was possible a landing might be effected in calm weather, and at this place Sir Hudson Lowe had stationed an eighteen gun-brig. The cruising ground of this brig was excluded from sight at the port of Jamestown by the high point of land just mentioned, and once during every day she sailed far enough out to sea to be seen by the admiral and fire a gun, which was answered by his ship, and thus the watchful sentinel daily reported “All’s well:”—but from “Longwood” the brig was always in sight.

When the Chacabuco reached St. Helena, disguised as a merchantman, she sent her boat on shore under a pretence of meeting letters and orders, but in fact to ascertain whether the letters-of-marque had gone past, and to their great joy it was found they had not: returning to the ship, they put to sea for that night, to determine what station to take as most likely to intercept them; a station near the cruising ground of the gun brig was indeed the most proper and almost the only one, being directly in the track of ships approaching the island from India: they therefore determined to take that station and avoid the brig. The next day, in standing in-shore, they were surprised to find that the English gun-brig resembled the “Chacabuco” so much in size and rig and general appearance, that the boatswain jocosely reported her a “twin-sister,” and it was this remarkable coincidence of appearance, even to the darker color of her fore-topsail, which came so near being the means of

rescuing the prisoner, as we shall presently see.

When the Chacabuco came within a certain distance, the gun-brig would fire a gun and give chase; the chase immediately tacked ship and stood to sea. After the gun-brig reached a certain distance in the offing, she again tacked and stood in. This was repeated several days, and the Chacabuco thus ascertained the extent of the brig’s cruising-station, and took due notice of her stretching out each day beyond the promontory, or cape, to the windward, and firing her signal-gun. Thus matters continued for nearly two weeks, the Chacabuco keeping a good look-out for the expected richly-laden ships, and the English brig performing her daily round of prescribed duty. Occasionally, the Chacabuco would stretch well to the windward during the night; and it was on one of those occasions that, soon after night had set in, there arose one of those sudden and violent storms which rage with unabated force and fury for a few hours, and then almost as suddenly subside. The Chacabuco labored hard; and so anxious were her officers for her safety, that at one time it was proposed to throw some of her guns overboard. The fury of the gale was driving her near the cape; she might be far enough off shore to pass it; should she not be, every soul must perish. But before day came to reveal to them their imminent danger, a smoother sea announced to their anxious hearts that they had passed it, and which, with an almost sudden abatement of the gale, left them in comparative safety. Daylight came, and with it a clear and calm sky and bright sun, but the “guarda-costa” brig was gone—whether to the bottom or far to the leeward could not then be decided; from the suddenness and violence of the storm it was feared she had foundered and gone down with her gallant crew; but soon after sunrise, while the Chacabuco was lying almost becalmed within a few leagues of the shore, repairing the damage of her sails and rigging, it occurred to Lieutenant S—— to hoist the English flag and personate the English brig. With him—in this instance, at least—to decide was to act; and in an instant the order was given, and in another the British ensign was flying at her peak, and to all appearance she was the veritable well-known and well-armed ship of his Majesty, the

The day was becoming more and more

fair and lovely, and about twelve o'clock Napoleon was seen taking his accustomed ride on horseback, accompanied by a friend or two, and followed by a small guard of soldiers in glittering uniform, taking the usual road or path leading from Longwood to the shore, near where, as before said, a landing possibly might be effected, and hardly a league from the Chacabuco. While reconnoitering the party with a spy-glass, it flashed across the mind of Lieutenant S—— that Bonaparte could at that moment be rescued! The thought thrilled through his generous soul, and aroused his ambition for the noble deed. In an instant he was at the side of the commander (who, it ought to have been said before, had been some time confined to the cabin with a recurrence of the malady which was fast wasting his life), and relating, in the briefest possible manner the absence of the gun-brig, the position of the Chacabuco and of the party on shore, some five or six miles from any land force to oppose his design, and suggesting the attempt of rescue. The commander, who, if in health, would have gloried in the attempt, merely gave his assent, but with that unwonted indifference and unconcern which induced Lieutenant S——, on reaching the quarter-deck again, to call his officers together, who, almost unanimously, and with a thrilling response, seconded him. One, however (not an American), suggested doubts—"The captain," he said, "is sick—we are daily expecting the rich prizes, &c.; but without delay the crew were beat to quarters; and, instead of giving orders to *immediately man the boats and rescue Napoleon Bonaparte*," Lieutenant S—— committed the fatal mistake of addressing them. Ah, fatal error! Elevated upon one of the guns of the ship, with his eye alternately on Bonaparte and on his crew, who were gradually taking their respective stations on deck, he hardly waited for the whole to assemble, his own noble heart beating high with spirit-stirring and generous impulses and perilous enterprise: never for a moment doubting that the crew he was about to address would respond with one long and hearty huzza, what was his astonishment and indignation, when the only response was a silent pause! But in that fatal pause was suspended the peace of Europe—perhaps, of the world! In that one short pause hung the life and destinies of the great and mighty man

who that moment was looking out upon them a state prisoner—known as such to almost all the nations of the earth—wholly unconscious that the power to rescue him lay within a league of his own arm! \* \* \* \* \*

That pause continued for nearly a minute; so utterly astonished and confounded was Lieutenant S——, who so naturally believed that the feeling of every heart was in unison with his own, that he was not the first to break the silence. In a few moments the officer, (a foreigner,) who had before raised doubts, exclaimed, "What's that to us—give us a rich prize ship," thus revealing to the astounded Lieutenant S—— and his chief officers a state of insubordination little dreamt of, amounting almost to revolt and mutiny! and his generous mind, instead of *instantly* ordering the boats to be manned for the rescue, made a second fatal mistake in admitting his crew to a parley. \* \* \* \* \* In that parley time flew, and with it departed forever the only, and apparently a providential, opportunity of rescuing a hero from an ignominious bondage! But from the surly silence and sinister looks of more than half his crew, and the half-smothered but half-uttered threat of a few of the leaders, that "if we separate, we separate forever," thereby intimating that if the boats should leave the ship, the ship might leave the boats, it was but too apparent, nay, painfully certain, that the noble enterprise must be abandoned. For more than half an hour the opportunity lasted. Some secret spell seemed to bind Napoleon to the spot, and when he and the party proceeded slowly further along the coast, but not a moment out of sight, his face was to all appearance turned most of the time toward the ocean and the brig, so that any unusual signal would have attracted his attention. She was not the English guard brig he supposed her to be, but the ill-fated Chacabuco. There she lay with her dastardly crew of all nations, ready to fight and strong in fight, (as the sequel proved,) not, however, for honor and glory, but for "filthy lucre."

Who can describe the feelings of Lieutenant S—— and his brave officers? who can realize the intensity of their disappointment when the attempt at rescue was thus so painfully and reluctantly abandoned, and the order given for the crew to resume their routine of duty? "Oh, the fatal error of appealing to the

reason or patriotism of a mixed crew of a man-of-war!" was an expression often used by my friend when relating this exciting story. Had he given the order to man the boats for the rescue, leading the way himself as he intended, it had been done, and the rescue probably accomplished, long before the more sordid part of his crew, attracted and excited, at the moment, by the splendor and importance of the achievement, would have found time to "count the cost," or exclaim, (as they did,) "You will get all the honor, and we, poor devils, will lose the prizes." Had he, even after the pause and parley with the crew, sprung, sword in hand, amongst the disaffected and arrested them, as he was on the point of doing, he still might have accomplished the rescue, but he did not. The remark of one of them that their "*commander*" had not "ordered them to catch soldiers," forcibly reminded him that he was only second in authority, and his noble commander was too ill, and too unconscious, to take any interest in what was passing on deck, or to give an order if he were brought there—and when Lieutenant S—— saw Napoleon on his return home pause, when nearly opposite the brig, and seemingly take a last, and, he could imagine, reproachful look, his heart sank within him, and he descended to his cabin with ardent and agitated feelings, and a prostration of spirits, not to be described. For several hours he remained below under the greatest excitement—on the one hand, indignant at the dastardly conduct of his crew, and on the other a lingering hope that something might yet transpire to enable him to accomplish what he would at that moment have risked a dozen lives to accomplish; alternately revolving the chances that the British gun-brig (for whose crew in the dawn of morning he had felt and expressed the liveliest sympathy) had gone to the bottom, and therefore that his disguise would not for some days be detected, and the hope that during the day his crew, either through fear, or by strong inducements and hopes of large rewards, might join in and consent the next morning that Bonaparte should take his ride; alternating, I say, between hope and despair, he had almost wished the sea to overwhelm his ship and end his anxiety, when he was startled by the cry of "Sail, ho!" which brought him to the deck almost at a single bound, and, to his utter dismay, the re-appearance of the gun-brig in the

offing, regaining her cruising ground, put to flight the last vestige of hope that he, who had once had a most providential opportunity, should ever have another, to attempt to rescue the great prisoner, and with a sinking heart he gave orders to his disappointed and distressed officers, to make sail seaward, thus avoiding the approaching cruiser, who, apparently in great alarm, commenced firing signal guns, and made all the sail her crippled condition would admit. The Chacabuco had hardly gained an offing before the admiral's ship was seen standing out of the harbor prepared for action—and it was no doubt this affair that gave rise to the reports which reached Sir Hudson Lowe, and even Napoleon's ears, that an attempt *had been made* to rescue him.

The Chacabuco had stretched far beyond the ken of the alarmed brig, and was left almost becalmed. There she lay, to all appearance as calm as the ocean on whose quiet bosom she was floating, which contrasted sadly with the perturbed feelings of her officers—intense disappointment—chagrin—a feeling of culpability—a self-accusing spirit of duty unperformed, engendered feelings in their hearts towards the recreant officer and disaffected portion of the crew, which it had taken but little to excite into desperation: and the crew, nearly all of whom had now sided with the disaffected, although performing submissively and in sullen silence their usual round of duty, it was but too apparent were under the influence of more than common feelings—a half-smothered threat uttered in the way of a joke, about "catching soldiers,"—the self-condemned and sinister features of the foreign officer in question—the more than doubtful visage of three or four leading tars—all spoke, in language stronger than words, that a volcano was under them, which the first spark of additional insubordination or revolt would ignite into the deadliest conflict for mastery. It was not till the second day that Lieut. S—— thought it necessary to consult his officers, nor was he even then willing to alarm his fast sinking commander, but he said enough to some of his chief officers to intimate to them the necessity for an informal interview and consultation, and the captain of marines, young L——n (who had throughout the whole affair behaved most nobly, participating with Lieut. S—— in the most fervid enthusiasm for the attempt at rescue) had noticed enough to induce *him* to look



well to the condition of his department. From this state of anxiety, doubt, and danger, they happily were relieved in the afternoon of the second day by the always cheerful and exciting cry of "Sail ho!" and in a few hours they spoke and boarded the American ship — from Manilla, from whom they learnt that one of the Spanish ships was disabled and undergoing long repairs at Manilla, and the other they had parted company with only a few days before; she intending to proceed direct to Cadiz, without calling at St. Helena.

Thus, then, was a new motive of action at once brought into exercise on board the self-condemned *Chacabuco*, in which both officers and crew seemed glad to participate — "a change came o'er the spirit of their dreams"—all was life and bustle. It was almost certain that their clipper brig could reach Cadiz before her expected prize—perhaps fall in with her on the way, and when the order was given to make all sail for Cadiz, it was obeyed with that alacrity and hearty good will, which again spoke louder than words, that with the mixed crew of the *Chacabuco*, gold had a thousand more charms than honor. Every sail was spread to the breeze, and the ship bounded gaily over the ocean:—if relief from very great anxiety had lighted up the faces of her officers, so had the hope of regaining the confidence of their officers and of capturing a noble prize, swept away from the brawny cheeks of her motley crew every vestige of discontent—cheerily they manned the ropes and loudly they praised the sailing qualities of their darling craft—

"Their march was on the mountain wave,  
Their home was on the deep"—

and while the face of every jolly tar glistered with gladness and hope, their eagerness and anxiety to overtake the letter-of-marque gave a certain pledge that they would now do their whole duty. And the opportunity was very soon afforded them, for on their arrival off Cadiz they ascertained that they were in advance of the expected prize, and they accordingly took their station to intercept and capture her.

In this position the *Chacabuco* had remained, constantly prepared for action, for more than three days, when a little after dark on the fourth a sail was described bearing directly down for the port, and in a short time there was every indi-

cation of her being the large armed ship which had so long been the object of their anxious and eager pursuit, and that she had by some means or other an intimation of her danger, for she was coming down under the greatest possible spread of canvas. The *Chacabuco* was not slow in beating to quarters—placing herself directly in the chops of the harbor, with her matches lighted, she waited the approach of her antagonist, who to her surprise she found all prepared for defence, even to her boarding nettings, and from her size and armament gave token that the conflict would be dreadful, and dreadful it was.

Three several times did the *Chacabuco* attempt to board, the last time from the main-yard, by springing into the quarter boat of the ship, which was immediately cut away and afforded part of the boarders the means of safety till rescued after the action, during the whole time of which, being nearly an hour, the ship kept steadily on her course into port, seemingly conscious that her only safety was in reaching the anchorage before her crew, which was so fast diminishing, should be wholly killed or disabled. In this she succeeded, and when the *Chacabuco* reluctantly gave up the fight, both ships were nearly amidst the fleet of merchantmen in the harbor, and a sloop of war, apparently British, was under way for the scene of action.

If the officers of the *Chacabuco* had felt disheartened at St. Helena, the crew now in their turn felt the bitterness of disappointment in its fullest force: they had fought like bulldogs; nearly one-third of their number had been killed or mortally wounded—among the former was the recreant foreign officer; they had boldly held on to the fight at desperate odds till they were in danger of being surrounded in port, and when they gave it up and bore out to sea, fortunately rescuing in their way from a watery grave, their brave companions who had attempted to board, and were cut down in the quarter-boat, the keenest disappointment and despair were depicted in every face, heightened no doubt by the bitter recollection of delinquency of duty at St. Helena. The fight was a desperate one, and was fully described and commented on by the Cadiz papers of the day; and as at night the *Chacabuco's* colors had not been distinctly seen and understood, she was reported and believed to be some desperate piratical corsair.



Cut up and disabled to such a degree that it became necessary, on the first recurrence of heavy weather, to throw overboard most of her heavy guns—her crew thinned by death and mortal wounds—it became in the minds of her officers very doubtful if the *Chacabuco* could reach Buenos Ayres; and in a few days it was determined to bear up for a port in the United States, and she finally reached Savannah with the greatest difficulty, where, while waiting for orders and the means to refit, many of her officers resigned, and most of her crew escaped. Her brave commander immediately left for the North, where, it is believed, he soon breathed his last. Lieutenant S— obtained leave of absence to visit his friends residing in a seaport

on the Gulf, who induced him to throw up his commission; but disappointment and disease soon made such rapid inroads on his constitution, that, in a year or two, he had barely health enough left to enable him to return to his native State in the North, where, in August, 1822, he breathed his last in the arms of his parents.

The brave captain of marines, young L—n, returned to the fond embrace of his parents in New York; the surgeon, Dr. B., became a resident of Florida. Who took charge of the *Chacabuco*, and when she sailed for Buenos Ayres, the writer has now no means of ascertaining; but her arrival at Savannah must still be fresh in the recollection of many of the present merchants of that place.

#### THE ORATORS OF FRANCE: CORMENIN'S "PORTRAITS."\*

It is singular, perhaps a little disgraceful, the extent, the variety of ways, with which we have contrived to exhibit our dependence on England for the literary products with which we are fed, what we choose to consider, our very intellectual natures. It could not, in reason, appear strange that all good works of English production should be imported—re-published, if you please—with great haste, and read with equal eagerness and delight. To have neglected them would, in fact, have been but an evidence of little taste on our part, as well as of small reverence for that noble mother of all the "enterprising Saxon race," whom it must be confessed, we ought not to forget. Nor is it matter of surprise that we have not ourselves produced a greater number of excellent books, which might have prevented the necessity of borrowing so freely from abroad. We are young as yet; we have had a wilderness to conquer—cities to build—commerce, government, social order to establish—in short, our physical interests to care for first—a remark which, though often made, is almost as true as if it were less common! But we have gone quite beyond what was necessary in our literary

indebtedness to Great Britain. We have not only devoured all original English works—which was well enough, provided we had always known first what we were eating, or sufficiently digested it when eaten—but we have borrowed from English translators all our current versions of foreign authors. There is hardly an instance to the contrary. All the fine French and Italian classic authors, the best versions of which have for the most part appeared since we first undertook to build up for ourselves a literature, have been made familiar to us through English translations. With the modern stock of continental literature, the case is nearly as bad. Some dusty scholar has rendered into American two or three unattractive German works, never yet naturalized in England—though in truth we cannot well remember what they are. All other exceptions are confined to French novels—to the introduction of which we should prefer to lay no claim—the discredit to our taste is greater than the honor to our diligence.

But what possible reason has there been for such refusal among us to engage in this department of literary labor? Pride of being original? Scorn of working at

\* *The Orators of France.* By Timon (Viscount de Cormenin.) Translated by a member of the New York Bar, from the Fourteenth Paris edition; with an Essay on the Rise and Progress of French Revolutionary Eloquence, and the Orators of the Girondists, by J. T. Headley; edited by G. H. Colton, with notes and biographical addenda. New York, Baker & Scribner.

second-hand? The first plea, manifestly, will not go a great way in our case; and for the second, besides its losing a good portion of its pith from the first proving worthless, we might modify our great dignity a little with the reflection that other nations quite as good as we are, have engaged in this labor with acknowledged benefit to the interests and character of literature at home. The truth is, the only thing we show in the matter is a discreditable indolence; we cannot engage in the direct toil of fitting these foreign wares for our market, but we do not hesitate to pilfer, and re-produce, those which her Majesty's Commonwealth of Letters have imported and adapted for their own use.

The next thing to originating for ourselves, is to re-produce, in the finest dress of our native tongue, the noblest productions of other languages. There is not a literature in Europe of any worth, a large part of whose acknowledged permanent possessions are not considered as consisting in skillful versions of the chief authors of other countries. It is, indeed, the common duty of the literary men of a nation to set themselves to this task. The body of the people have not the gift of tongues; they can know nothing but by report of the untranslated efforts of writers out of their own country. But all letters—the writings of all nations—should form a great community of intellectual wealth—a fifth element, as interchanged and universal, as the air and water—an effect to be attained only by the means spoken of. Other countries have done their part towards this end, for themselves; we have looked to England to do it for us.

But in this there are two or three great disadvantages. In the first place, we thus constantly confirm our habits of dependence on her; instead of which, by introducing among us, of our own labor, the most excellent foreign works—French, German, Italian, Spanish—whether of this or preceding centuries, we should go far to do away with both the fact and the feeling of such dependence. American translations of the truly great and abiding works of the modern tongues, could not fail to be considered as much a part of our literature as would be a new and successful rendering of Homer, Æschylus, or Virgil.

Then, again, by foregoing this labor, we forego one of the greatest means of improving our style and enriching our

capacities of language and invention. The remark will be appreciated by all who have long and carefully pursued the exercise of translation, or by those who have observed how much the practice of it has done for nearly every eminent writer in English literature. There ought at this moment to be—there would be, had our men of letters been true to their own advancement, and to the interest committed to their charge—American versions of all the great classical works in prose and poetry, of the modern languages.

But the worst is, that in relying upon the English for the translated works we get, we become imbued with English impressions of the writings presented, and of foreign literature in general. Thus we not only delight ourselves with feasting upon the original productions of British writers, instead of producing the same ourselves, and borrow, in addition, their versions of the writings of their neighbors, but end with adopting on trust their opinions of the men, politics, and letters of the rest of Europe. By this, it must be confessed, our literary dishonor is completed, acquires a finish and roundness—*totus, teres, atque rotundus!*

It is quite time that all this should have an end. Of the great nations, we are the latest born, and the most cosmopolitan both by character and position: it belongs to us, both for justice to them, and for our own benefit, that we acquaint ourselves directly with the men and manners, with the arts and literature, with the political and social condition of all nations.

Our publishers, it is true, finding modern works translated to their hands, can hardly be expected to pay for MS. versions, perhaps of inferior execution. This consideration, however, will not hold of those whose reputation has become fixed by many years' standing—for they will bear two or three translations; while, on the other hand, many of the most valuable and brilliant publications of the current years are not rendered into English at all, as was the case with Cormenin's "Portraits," now before us. It may be remarked, by the way, that here would be one of the great practical benefits of an international copyright law—the American publisher, having to pay the English translator for his version of a foreign book, would as soon give the same amount to a competent

person at home for executing the same labor. But enough on this topic—we have been led too far by its importance in a general point of view, not intending to apply our remarks especially to the work before us, the value of which in such a connection must be left to its readers.

It is, however, altogether remarkable that Cormenin's work should never have been translated in England. In France and on the Continent generally, its reputation is very great; it has been accepted as one of the most vigorous and brilliant books published for many years, distinguished alike for its matter and its style. Its popularity is evinced by the number of editions published, seventeen or eighteen of which have appeared at Paris, and twelve at Brussels. On this point, the translator quotes from a late Parisian paper, (*le National*), announcing the appearance of the *sixteenth* edition:

"What remains at this day, to be said of the *Libre des Orateurs*, except that it has proved a fortune to the publisher, and a source of new triumphs to the author: the rapid sale of fifteen editions speaks abundantly the opinion of the public. But with M. DE CORMENIN the editions succeed each other without being alike. He touches and retouches unceasingly his elaborate pages; he adds, retrenches, transposes, polishes: he is eminently the writer of the file and smoothing-plane (*de la lime et du rabot*), a rare merit in our days, and which evinces in the author a proper respect for both the public and himself.

"The edition now issued contains some new Portraits, or rather outlines, in the modest expression of the author. For as soon as an orator appears, 'TIMON' takes his pencil, draws a profile, sketches a head, completes a bust according to the rank assigned to each in the parliamentary hierarchy. Thus does he constantly keep up to the current of parliamentary life, though, in truth, at present, neither active nor brilliant. And as the sessions march on, the 'Book of the Orators' marches with them, advancing daily more and more in public admiration, and above all, in pecuniary productiveness."

This neglect of English publishers to bring out a striking series of portraiture, embracing so many distinguished French characters of three generations, is the more remarkable from the fact that many sketches or articles, relating to these men, in the English periodicals, have transferred some of their most effective strokes from Cormenin. It is not a rare

instance, however; in several of the foreign tongues there are many popular and valuable works that remain unknown to the English reader. How could it be otherwise? We know that the literature both of France and Germany is prolific in good books—that we get but a small portion of those works, and usually of an inferior quality. The best works are considered not sufficiently popular to be remunerative to publishers, whose position unfortunately makes them judges in the matter, though their knowledge is commonly on a par with their liberality.

The original work of Viscount de Cormenin consists of two parts. The first is a treatise of Principles and Precepts, with illustrations, covering all the different species of eloquence and style in public writings—forensic, military, pulpit, popular, and parliamentary—academical addresses, lectures, speeches from the chair, haranguing in public assemblies, in clubs, in the open air—the eloquence of the press, of pamphleteers, the style of diplomatic dispatches and official documents. What would be of particular interest to public men and politicians of this country, it embraces the "tactics" of parties, of deliberative assemblies, of opposition, and ministerial policy. All this, the second part is designed to illustrate by "Portraits," or sketches, of the most eminent orators and parliamentary leaders, from Mirabeau, Danton, and Napoleon, whose extraordinary military oratory is set forth at large, down, through the Restoration and the Revolution of July, to Lamartine, Thiers, and Guizot. He adds, at the end, as the prominent example of popular eloquence in modern times, a rapid and glowing portraiture of the oratory of O'Connell, a eulogium which will be read with interest, now that the hand and voice of the great Irish Agitator are still forever.

The volume, as published here, consists of three parts: The translated "Portraits" of Cormenin—an essay prefixed to these by Mr. Headley, on the rise and character of eloquence in the French Revolution—and about fifty pages of biographical addenda by the Editor.

Of the latter it is not requisite to speak here. They consist mainly of anecdotes, facts, and narrative observations, relating to the lives of some of the principal characters treated of by the author. These would seem not so much necessary as desirable. Timon does not care to say much about their private history, only to

hit off with a various and piquant pen the mental, moral, and *physical* characteristics, so to speak, of them and their oratory, with a brief notice of the times of their development. But to understand the limnings of a picture, we must have the accessories given, unless we know the antecedents of the scene and figures presented. These a Frenchman would possess already, because the characters are those with whom he has long been familiar; but with us a feeling of strangeness would pertain to foreign persons drawn naked and without the background of personal information. The orators to whom these particulars relate are Mirabeau, Danton, Benjamin Constant, Royer Collard, Lamartine, Thiers, and Guizot.

The essay on the Girondists, though rapid and brief, considering the extent of the subject, is an effective piece of writing. It has the vigor, directness, and *movement* of style, characteristic of the author's productions—and it accomplishes its end—which could not be a display of breadth or profundity in so short a piece, but simply to leave, as it seems, a glowing unity of impression on the reader's mind with respect to the rise of French popular eloquence, and the orators of that period. In this way it seems to throw light upon the entrance into the field which Cormenin's sketches subsequently cover.

The translation is worthy of notice. We do not indeed agree with the author's theory expressed in his preface, of enriching our language with French *idioms* and expressions. He has not ventured, fortunately, upon the introduction of many, but some of the few he has employed can never, we are sure, be naturalized in our English tongue, as it certainly is not desirable they should be. One form, in particular, he has made use of, we cannot but think, by simple oversight—for it is one entirely peculiar to the French, and becomes with us a sheer grammatical error. It is the use of the perfect tense "has been," when speaking of an action or event entirely in the past, having no connection with the present. "They *have said* so, when Alexander, in his drunkenness, *tore*," &c.—"They *have said* so, when Nero *assassinated* his mother"—"The Revolution of 1789 *has been* the great event of *modern times*." If these and some other instances belong to the translator's theory, we would suggest that the theory be re-

formed; but they were doubtless overlooked in the haste of revision. "For the rest"—to employ a French expression of some use in English, as we have no equivalent—the translations from "Timon" are executed with singular felicity and power. The original with its peculiar subtleties of language and great variety of style, was difficult to be rendered well. The task will be judged to have been executed with great success. The continuous force and aptness of expression displayed throughout, the dialectic precision and pictorial coloring, the skillful following of the author's incessant shiftings from argument to satire, from eloquence to raillery and invective, are deserving of some attention among the commonly bald and unequal versions of foreign works which have been brought before the public.

It is not difficult to account for the popularity of Cormenin's sketches. They are of men, very various in mind and disposition, who have been the orators and ruling intellects of the second nation of Europe, for a half century more crowded with great and startling events, and dramatic changes, than any other equal period of time has been in the history of any nation. And these "portraits" are done with the hand of a master. Occasionally, as when he feels himself called upon to eulogize, which his satirical nature does not often permit him to do, there is a flight of strained language, a forced expenditure of questions and exclamations, such as belong to the Frenchman, and which do full justice to their Gallic origin. He is a man, too, of sufficient prejudices, which are evident when he speaks of those who have betrayed the cause of "*French liberty*"—for "Timon," as he announces himself, is "a radical, but a radical more favorable to centralized and strong government than most of those who call themselves conservatives." He declares, indeed, that he does not "pique himself upon being impartial towards the political orators of his time." This candid declaration he certainly makes good in the most liberal manner. He is indeed quite independent, sometimes, in his frankness—carrying satire to the verge of injustice—as may be instanced in his "portrait" of Guizot—where his sarcastic strokes are not so happily directed as against the tergiversations of Thiers. It may be urged against him, too, that his love of raillery sometimes leads into



the appearance of inconsistency. He is to be read, therefore, with several grains of allowance.

But in skill of characterization and occasional fineness of reasoning, in subtlety of coloring and amplitude of expression, in variety, uniqueness, and felicity of style, we do not know by what modern writer he has been surpassed. A passage of the Advertisement is to the point—that “with very great and powerful discrimination, a singular logical acuteness, perspicuity, and frequent eloquence, “Timon” displays a scornful elegance, a subtle force of sarcasm and grace of *badinage*, not excelled by any writer since Voltaire. It is power concealed in a garb of lightness;—the blow is felt where only the rustling of the robes is seen.”

In short, it may be said that only the French people would furnish such subjects, and only a Frenchman would so draw their portraits.

We feel, however, that he is a perfect master of style; and this is really the chief benefit of the introduction of “Timon” to this country. He is certainly liable at times to the charge of unnecessary copiousness and false effect; but he moves constantly with the utmost ease from grave remark and emphasis of argument, to that delicate, keen analysis and light scorn of raillery in which, as he seems to know, lies his forte. In brief, as is remarked in the translator's preface, besides the interest of the matter, the work presents, in its method and style, a consummate model, especially for political writing, and it is not impossible that it will affect to a sensible degree the manner of our public writings.

We hope that this may be the result, for it is most certain, that our political efforts—of which nature are, and must long be, the most of our public effusions, whether in pamphlets, periodicals, or the newspaper press—are characterized, from exclusive attention to English models, by a uniform heaviness, and excess of regularity, by no means favorable to that immediate popular effect which is the aim of such ephemeral productions. Our journalists—and even those of the English, though we have nothing to show by the side of the great London papers—are not to be compared with that brilliant and powerful order of writers, who have made the Parisian Press confessedly the fourth estate of the kingdom. The most eminent public men of France have taken

part in the discussions of their journals. The productions, either in the journals or in pamphlets, of Thiers, of Chateaubriand, of Paul Louis Courier, unrivalled as a political writer, of Villèle, Etienne, Geoffroy, Benjamin Constant, Guizot, and especially, among a host of others, of Viscount de Cormenin, whose pamphlets and newspaper essays were published for many years under the pseudonym of “Timon,” have exercised more influence upon the politics and public policy of France, than all the efforts of the same men have commanded in their legislative chambers.

In view, partly, of exhibiting a new and effective style to our political writers, partly of furnishing a running sketch of French orators and oratory, we make some extracts, with slight connecting commentaries.

The eloquence of the French through the 17th and 18th centuries, was confined almost entirely to the orators of the pulpit. Lingendes, whose funeral discourses were celebrated in the reign of Louis XIII., Bossuet, in the reign of Louis XIV., one of the most eloquent of all sermoners, after him Bourdaloue, Anselme, Massillon, and Saurin, these were the orators of France till near the close of the 18th century. At the bar oratory was somewhat cultivated, but hardly the memory of any particular efforts has survived. In respect, indeed, to forensic and parliamentary eloquence, the French during all that period could not compare with the English.

But, to quote from the essay on the Girondists, “the advocate and the divine disappeared in the French Revolution, and the press and legislative hall were the media through which the soul of the nation uttered itself.

“The Convention of the States-General, and final organization of the National Assembly, fixed irretrievably the French Revolution. The deputies of the people, assembled from every quarter of France, found themselves at the outset in collision with the throne and aristocracy. The nation was to be saved from the famine, and distress, and bankruptcy, which threatened to overwhelm it; and they boldly entered on the task. They had not come together to speak, but to act. Met at every turn by a corrupt court and nobility, they found themselves compelled to spend months on the plainest principles of civil liberty. But facts were more potent than words, and it only need-

ed an eloquent tongue to bind the Assembly together, and encourage it to put forth those acts which the welfare of the nation demanded.

"It was not easy at once to destroy reverence for the throne, and set at nought royal authority, yet the reformation which the state of the kingdom rendered imperative would do both. Right onward must this National Assembly move, or France be lost! To carry it thus forward, united, strong and bold, one all-powerful tongue was sufficient: and the great orator of the Assembly was Mirabeau. At the outset, hurling mingled defiance and scorn both on the nobility—from whom he had been excluded—and the king, who thought to intimidate the deputies, he inspired the *Tiers-Etat* with his own boldness. No matter what vacillation or fears might agitate the members, when his voice of thunder shook the hall in which they sat, every heart became determined and resolute. With his bushy black hair standing on end, and his eye glaring fire, he became at once the hope of the people and the terror of the aristocracy. Incoherent and unwieldy in the commencement of his speech, steady and strong when fairly under motion, he carried resistless power in his appeals. As a huge ship in a dead calm rolls and rocks on the heavy swell, but the moment the wind fills its sails stretches proudly away, throwing the foam from its front, so he tossed irregular and blind upon his sea of thought, until caught by the breath of passion, when he moved majestically, irresistibly onward."

A description of the meetings of that assembly, and a contrast of the spirit of its deliberations with that of the debates of the modern chambers, under the citizen-king, are given by Cormenin in exceedingly terse and vivid language. It is perhaps one of the finest passages of the kind to be met with in any writer.

"How different those times from ours! The whole population of Paris used to mingle breathlessly in the discussions of the legislature. One hundred thousand citizens filled the Tuileries, the Place Vendôme, the streets adjacent, and copied bulletins were passed from hand to hand, circulated, thrown among the crowd, containing the occurrences of each moment of the debate. There was then some public life and spirit. The nation, the citizens, the Assembly, were all in expectation of some great events, all full of that electric and vague excitement so favorable to the

exhibitions of the tribune and the triumphs of eloquence. We, who, live in an epoch without faith or principles, devoured as we are from head to foot with the leprosy of political materialism—we, Assemblies of manikins who inflate ourselves like the mountain in labor, to bring forth but a mouse—we, seekers of jobs, of ministerial office, of ribbons, epaulettes, collectorships and judgeships—we, a race of brokers and stockjobbers, of Haytian or Neapolitan three or five per cent.—we, men of court, of police, of coteries, of all sorts of times, of all sorts of governments, of all sorts of journalism, of all sorts of opinion—we, deputies of a parish or of a fraternity; deputies of a harbor, of a railroad, of a canal, of a vineyard; deputies of sugarcane or beet-root; deputies of oil or of bitumen; deputies of charcoal, of salt, of iron, of flax; deputies of bovine, equine, asinine interests; deputies, in short, of all things except of France, we shall never be able to comprehend all that there was in that famous Constituent Assembly of deep conviction and thorough sincerity, of simplicity of heart, of singleness of purpose, of virtue, of disinterestedness, and of veritable grandeur.

"No, one would have said there existed then in this Assembly and this nation of our fathers, no men of mature years who had experienced the evil days of despotism, none of old age who remembered the past. All was generous self-sacrifice, patriotic enthusiasm, raptures of liberty, boundless aspirations after a happier future. It was as a beautiful sun which dissolves the clouds of spring, warms the frozen limbs, and gilds every object with its pure and genial light. The nation, youthful and dreamy, had imaginings of distant voices inviting it to the loftiest destinies. It had fits of trembling, of tears, of smiles, like a mother in the delivery of her firstborn child. It was the Revolution in the cradle."

"All things concurred to make Mirabeau the grand potentate of the tribune, his peculiar organization, his life, his studies, his domestic broils, the extraordinary times in which he appeared, the spirit and manner of deliberation of the Constituent Assembly, and the combination truly marvellous of his oratorical faculties."

Says Cormenin, in another part of the sketch,

"Mirabeau had a massive and square obesity of figure, thick lips, a forehead broad, bony, prominent; arched eyebrows, an eagle eye, cheeks flat and somewhat flabby, features full of pock-holes and blotches, a voice of thunder, an enormous mass of hair, and the face of a lion.

"Born with a frame of iron and a temperament of flame, he transcended the virtues and the vices of his race. The passions took him up almost in his cradle, and devoured him throughout his life. His exuberant faculties, unable to work out their development in the exterior world, concentrated inwardly upon themselves. There passed within him an agglomeration, a laboring, a fermentation of all sorts of ingredients, like the volcano which condenses, amalgamates, fuses and brays its lava torrents before hurling them into the air through its flaming mouth. Greek and Latin literature, foreign languages, mathematics, philosophy, music, he learned all, retained all, was master of all. Fencing, swimming, horsemanship, dancing, running, wrestling, all exercises were familiar to him. The vicissitudes which the fortunate philosophers of the age had merely depicted, he had experienced. He had proudly looked despotism, paternal and ministerial, in the face, without fear and without submission. Poor, a fugitive, an exile, an outlaw, the inmate of a prison, every day, every hour of his youth was a fault, a passion, a study, a strife. Behind the bars of dungeons and bastilles, with pen in hand, and brow inclined over his books, he stowed the vast repositories of his memory with the richest and most varied treasures. His soul was tempered and retempered in his indignant attacks upon tyranny like those steel weapons that are plunged in water, while still red from the furnace."

"It is vulgarly imagined that the force of Mirabeau consisted in the dewlaps of his bullish neck, in the thick masses of his lion-like hair; that he swept down his adversaries by a swing of his tail; that he rolled down upon them with the roarings and fury of a torrent; that he dismayed them by a look; that he overwhelmed them with the bursts of his thunder-like voice: this is to praise him for the exterior qualities of port, voice, and gesture, as we would praise a gladiator or a dramatic actor; it is not to praise, as he ought to be praised, this great orator. Doubtless Mirabeau owed a great deal, at the outset of his oratorical career, to the *prestige* of his name. For he was already master of the Assembly by the reputation of his eloquence, before he became so by his eloquence itself.

"Doubtless Mirabeau owed much to that penetrating, flexible, and sonorous voice which used to fill with ease the ears of twelve hundred persons, to those haughty accents which infused life and passion into his cause, to those impetuous gestures, which flung to his affrighted adversaries defiance that dared them to re-

ply. Doubtless he owed much to the inferiority of his rivals; for in his presence the other celebrities were effaced, or rather they were grouped as satellites about this magnificent luminary only to render it, by contrast, of a more vivid effulgence. The able Maury was but an elegant rhetorician; Cazalès, a fluent speaker; Sieyès, a taciturn metaphysician; Thouret, a jurist; Barnave, a hope. But what established his unrivalled dominion over the Assembly was, in the first place, the enthusiastical predisposition of the Assembly itself; it was the multitude and the concurrence of his astonishing faculties, his productive facility, the immensity of his studies and his knowledge; it was the grandeur and breadth of his political views, the solidity of his reasoning, the elaborateness and profundity of his discourses, the vehemence of his improvisations, and the pungency of his repartees."

"His manner as an orator is that of the great masters of antiquity, with an admirable energy of gesture and a vehemence of diction which perhaps they had never reached. He is strong, because he does not diffuse himself; he is natural, because he uses no ornaments; he is eloquent, because he is simple; he does not imitate others, because he needs but to be himself; he does not surcharge his discourse with a baggage of epithets, because they would retard it; he does not run into digressions, for fear of wandering from the question. His exordiums are sometimes abrupt, and sometimes majestic, as it comports with the subject. His narration of facts is clear. His statement of the question is precise and positive. His ample and sonorous phraseology much resembles the spoken phraseology of Cicero. He unrolls, with a solemn slowness, the folds of his discourse. He does not accumulate his enumerations as ornaments, but as proofs. He seeks not the harmony of words, but the concatenation of ideas. He does not exhaust a subject to the dregs, he takes but the flower. Would he dazzle, the most brilliant images spring up beneath his steps; would he touch, he abounds in raptures of emotion, in tender persuasions, in oratorical transports, which do not conflict with, but sustain, which are never confounded with, but follow, each other, which seem to produce one another successively, and flow, with a happy disorder, from that fine and prolific nature."

In illustration of what he has said, Cormenin gives various fragments of Mirabeau's speeches and repartees. The grand master of ceremonies of the court had come to reprimand the assembly for its proceedings:

"The Commons of France," said Mirabeau, "have resolved to deliberate: and you, sir, who could not be the organ of the king to the National Assembly; you, who have here neither seat, nor vote, nor right of speaking, go tell your master that we are here by the will of the people, and that we will not be torn from it save by the force of bayonets."

Mirabeau was obstinate in defending the royal veto; instantly the wind of his popularity changed. He is denounced in an infamous libel, which accused him of treason. "And me, too," he exclaimed, in an oratorical movement which electrified the Assembly, "and me, too, they would, some days since, have borne in triumph, and now they cry through the streets—'*The great conspiracy of Count Mirabeau.*' I needed not this lesson to know that there is but a step from the Capitol to the Tarpeian rock."

Our author quotes, with evident commendation, Mirabeau's speech on Bankruptcy, where he advises the sacrifice, by force, of the fortunes of a few rich men, to make up the ruinous deficiencies in the public funds. The speech is certainly powerful and splendid, but the doctrine is atrocious. It had an enormous effect, however—was doubtless one of the immediate impulses to the subsequent terrible popular commotions.

"Mirabeau, defeated on the Veto question by the Assembly's distrust of the royal authority, returned to the charge on the question of the admission of Ministers to a seat; but, in spite of the unheard-of efforts of intellect, eloquence, and logic, he succumbed beneath the violence of the same prejudice. He then determined to seek, outside of the Parliament, for support and forces against it. But why—and here returns that embarrassing question—why did Mirabeau stop all of a sudden on the declivity of the Revolution? Was he affrighted himself by the noise and violence of its course? Did he mean only to save liberty from its own aberrations, by passing into its mouth a curb and bridle? His prejudices of education, of family, of birth, did they resieze him unconsciously? Was he bought over by the Court? Did he desire a limited monarchy, purged of federalism and favoritism, a king and two Chambers, a constitutional trinity? . . .

Posterity alone will furnish—or, perhaps, will not be able to furnish—the solution of this problem, to us insoluble."

"What is less doubtful is, that Mirabeau meant to push his colleagues to

excesses, perhaps to crimes, in order to punish them afterwards for having committed them. A mode of perdition quite satanic and worthy of Machiavel; a political immorality which honest men cannot brand with too much indignation, and which leaves a dark, a very dark stain upon the glory of this great man.

"Mirabeau, with his back like another Hercules opposed to the breaches of the revolutionary torrent, strove to check the consequences which, at all points, broke out impetuously from their principle. He had in his star the faith somewhat superstitious of great men. He imagined that the flying arrow may stop short in the air before reaching its object. He wished himself to serve alone intrepidly for an object to the continual firing of his enemies. He was already preparing, with a paroxysm of energy, to renew the giant struggle, when, all of a sudden, his strength gave way, and he sunk like the monarchy of which he wore the mourning.

"At this astounding intelligence, Paris is agitated, the people run to his residence, and gather around, with lamentations and tears, the couch of Mirabeau dying, of Mirabeau dead. They contemplate with pensive eye the corpse of their tribune. They touch it, they seek still there some remnant of vital heat; they ask, in the wildness of their despair, that their veins be opened, and that, to revive his vitality, he be given a part of theirs; they press and chafe those icy hands which hurled so often the popular thunderbolts. They harness themselves to his hearse and draw his remains to the Pantheon with the pomp and apotheosis of a king."

This was the end of Mirabeau! This was the sorrow of the multitude! A few months after it was decreed, that "his statue be veiled until his memory be re-established!" His body was disinterred at midnight, hurried off by torch-light, and thrust into a grave in a cemetery, where only executed criminals are buried, "among whom the undistinguishable remains of this great orator lie mixed and confounded!"

"The Constituent Assembly of France sat from 1789 to 1791. The overthrow of the Bastille and triumph of the people frightened the nobility, so that they fled in crowds from France. Hitherto they had constituted the opposition against which the deputies of the people had to struggle. After their flight, there being no longer an opposition, the deputies naturally split into two parties among themselves. The Girondists were at first the republicans, and demanded a government founded on the principles of the ancient



republics; but a faction springing up more radical than themselves, and pushing the state towards anarchy, they became conservatives. It was during these changes, that Mirabeau, full of forebodings, had died."

"This Assembly, however," to quote another passage from a portion of the Essay, "lasted but nine months. The revolt of the 10th of August came; the Tuileries ran blood, and the Bourbon dynasty closed. The Legislative Assembly then changed itself into the Convention, and the great struggle between the Girondists and Jacobins commenced; it was a life and death struggle, and all the mental powers of these two bodies were brought to the task. The Girondists numbered among them some of the finest orators France has ever produced. They were the philosophers of the revolution, ever talking of Greece and Rome, and fondly dreaming that the glorious days of those ancient republics could be recalled. Their eloquence had given immense popularity to the revolution and hastened it on. Grand and generous in their plans, they filled the imaginations of the people with beautiful but unreal forms. While they were thus speaking of Cataline and Cicero, and Brutus and Caesar, and the heroes of Greece, the Jacobins were talking of aristocrats in Paris, and arousing the passions rather than exciting the imaginations of men."

Cormenin's chapter on Danton, though bearing that title, is really a full picture of the whole period. Adapting his language to the subject, he has made it impressive and terrible—not surpassed by any brief description of those times, except what is found in some chapters of Carlyle.

How strange the picture drawn of the bloody Democracy betaking themselves to the classic ideas of antiquity!

"Whether from difficulty of invention, from custom, or from a classical education, the republicans of 1793 endeavored to revive, in their costumes, their attitudes, and their harangues, Sparta, Athens, and Rome. Strange! these most savage of demagogues had a sincere admiration for the laws, the manners, the apparel, the usages, the character, the speeches, the life and the death of the proudest and most insolent aristocrats of antiquity.

"The Greek bonnet was assumed, the plaited head-dress, and the long military cloak. Letters, the sole consolation of sensitive and delicate minds, were pro-

scribed. The dearest friends were condemned to death, in affectation of the *dis-natured* paternity of the first Brutus. Kings were detested with the frenzied hatred of Horatius Cocles. Some devoted themselves, some opened their veins, some tore out their vitals, some plunged desperately into the doom that awaited them, after the manner of Decius, of Regulus, of the senators of Tiberius and of Nero in Rome enslaved. Oath was made to die on their legislative seats, like the old Romans in their curule chairs. The dictatorship of the Committees and of the Convention was threatened with the dagger of Harmodius, and with the Tarpeian rock. People affected the frugality of Cincinnatus and of the Spartans. The name of their enemies was written in red ink, on the proscription lists, in commemoration of Sylla. The immortality of the soul was decreed, in view of the dying Calo. To dispense from wearing any, it was observed, that the democrat, Jesus Christ, had never worn breeches. You were outlawed, without trial, as the proscribed were by the Romans interdicted fire and water. Nature was stifled, justice was violated, liberty was abused, virtue itself was exaggerated, in order the nearer to resemble them.

"So much for the exterior part of oratory, which is conversant about forms, movements, and images. As for their political philosophy, financial economy and definitions of rights and duties, it was the philosophy, economy and the definitions of Rousseau and of the Encyclopedists.

"At the commune of Paris, at the Club of the Jacobins, in the popular societies, in the government Committees, in the bulletins of the army, at the bar of the Assembly, in the public places, at the foot of the scaffold, everywhere and on all occasions, it was substantially the same ideas, the same vehemence, the same grandeur, the same figures, the same exclamations, the same imitations, the same apologies, the same vocabulary, the same language.

"In this revolutionary drama, in this oratorical exhibition, so vivid, so excited, so stirring, so terrible, all is disorder, all is agitation, all is confusion—the clubs, the debates, the petitioners, the populace; all places are common, the bar of the house, the president's chair, and the tribunes.

"From the ceiling of the hall to the doors, in the lobbies both inside and outside, all played their parts, all was action, combat, crisis, applause, disapprobation. The sections armed, impelled, guided by unknown, invisible leaders, stormed the Convention, threw down all before them, pointed out the suspected deputies, and demanded that, before the house adjourn, they should fall beneath the sword of the law. "The people has risen, it is standing, it is waiting!"

"Extraordinary times! singular contrast! That Assembly which boldly flung its challenges of war to all the kings of Europe, quailed itself before the threats and insults of a few foaming demagogues, and pushed its forbearance or rather its pusillanimity so far as to accord them the honors of the sitting."

The general mind, elevated gradually by the excitement of speaking, was transported into a state of frenzy. Legendre used to exclaim, "Should a tyrant arise, he will die by my hand—I swear it by Brutus!" And Drouet: "Be ye brigands for the public weal, I say, be brigands!" Marat was seen to draw a pistol from his bosom, and resting it upon his forehead: "Another word," he exclaimed, "and I blow out my brains!" not one around him fell back, or took the slightest alarm; so much to kill one's self, or to be killed, appeared at that time natural!

These are some of Cormenin's brief portraits of the orators of the Convention:

"Languinais, a headstrong Breton, inflexible in his opinions, a learned publicist. He shrunk from no danger. He compounded with no sophism. Feeble in body, intrepid in spirit, he fought word for word, gesture for gesture. He would hold by, he would rivet himself to, the tribune. When his resignation as deputy was clamorously called for, with threats and abuses, he let fall with majesty the following beautiful words: 'Remember that the victim ornamented with flowers and led to the altar, was not insulted by the priest who was about to immolate it.'"

"Marat, a man of ferocious instincts and of a base and degraded figure, whom Danton repudiated and Robespierre would never approach; a universal denouncer, who used to invoke *Saint* Guillotine, excite the populace to assassination, and, for mere pastime, call for two hundred thousand victims, the King's head, and a dictator! A man of whom you could not say whether he was more cruel than insane; a buffoon and a trifle, without dignity, without decency, without moderation. He would toss about on his seat like a demoniac, leap up, clap his hands, burst into loud laughter, besiege the tribune, frown at the speaker, and let the mob place ridiculously on his head, in presence of the Convention, a crown of oaken leaves. Addressing the Assembly, he was in the habit of repeating with emphasis: 'I call you to a sense of decency, if you have any left.'"

"Couthon, the counsellor of Robespierre, of whom Saint-Just was the executive; a paralytic in both legs, and alone unable to stir among all those active spirits: Couthon, who, sentenced to death, on pretext of having designed to crawl up to the rank of sovereignty, contented himself with replying ironically: 'I aspire to become a king!'"

"Saint-Just, a republican by conviction, austere by temperament, disinterested by character, a leveller upon system, a tribune in the Committees, a hero on the battle-field. His youth, which verged upon manhood, was ripe for great designs. His capacity was not beneath his situation. A gloomy fire beamed in his looks. He had a melancholy expression of countenance, a certain inclination for solitude, a delivery slow and solemn, a soul of iron intrepidity, a determined will, an object ever fixed and distinct before his eyes. He elaborated his reports with a studied dogmatism. He seasoned them with scraps of metaphysics taken from Hobbes and Rousseau, and, to the violent and expeditious realities of his revolutionary practice, he joined a social philosophy compounded of humanitarian imaginations and flowery reveries.

"Here are some of his sayings: 'The fire of liberty has refined us, as the boiling of metals throws off from the crucible the impure scum.' And this word: 'Dare!' And this other: 'The traces of liberty and of genius cannot be effaced in the universe. The world is void of them since the days of the Romans, and their memory still fills it.'"

"Robespierre, an orator of considerable fluency, practised in the harangues of the clubs and the contests of the tribune; patient, taciturn, dissembling, envious of the superiority of others, and constitutionally vain; a master of the subject of discussion and of himself; giving vent to his passions only by muttered exclamations: neither so mediocre as his enemies have made him, nor so great as his friends have extolled him; thinking far too favorably and speaking much too lengthily of himself, his services, his disinterestedness, his patriotism, his virtue, his justice; bringing himself incessantly upon the stage after laborious windings and circumlocutions, and surcharging all his discourses with the tiresome topic of his personality."

"Robespierre wrote his reports, recited his harangues, and scarce ever extemporized but in his replies.

"He could sketch with ability the external condition of the political world. He had, perhaps in a higher degree than his

colleagues, the views of the statesman; and, whether vague instinct of ambition, or system, or ultimate disgust of anarchy, he was for unity and strength in the executive power.

"His oratorical manner was full of allusions to Greece and Rome, and the college truants who thronged the Assembly used to listen valiantly, with gaping mouths, to those stories of antiquity."

"He was in the habit of also dealing out tedious philosophical tirades about virtue, which were palpable reminiscences of Jean-Jacques Rousseau."

"Sometimes his images were clothed with much eloquence of form: 'Do we calumniate the luminary which gives life to nature, because of the light clouds that glide over its effulgent face?'"

"This other idea is beautiful: 'Man's reason still resembles the globe he inhabits. One half of it is plunged in darkness, when the other is illuminated.'"

"Robespierre was a deist, as was also Saint-Just. But, to be a deist and own it publicly, was to be quite religious for those times."

"Robespierre and Saint-Just viewed nature, as she is seen on the stage and amid the decorations of the opera, in pastoral perspective, with singing choirs of venerable old men and bands of rose-crowned village girls. They moralized speculatively on liberty and equality, with less eloquence than Rousseau, but also with less pedagoguism. As organizers, they were neither more nor less advanced than the rest of the Mountainists. They lived from day to day, like all party leaders, in times of open revolution: too engrossed with the care of getting rid of their enemies and defending themselves, to think of aught else. In them, action left no time for thought, and the present absorbed the future.

Of what he says of Danton at greater length—a vigorous and discriminating presentation—we can quote but a few passages.

"Danton had, like Mirabeau, viewed near, a sallow complexion, sunken features, a wrinkled forehead, a repulsive ugliness in the details of the countenance. But like Mirabeau, seen at a distance, and in an assembly, he could not fail to draw attention and interest by his striking physiognomy and by that manly beauty which is the beauty of the orator. The one had something of the lion and the other of the bull-dog—both emblematic of strength."

"Born for the highest eloquence, Danton

might, in antiquity, with his thundering voice, his impetuous gestures, and the colossal imagery of his discourses, have swayed from the height of the popular tribune the tempestuous waves of the multitude. An orator from the ranks of the people, Danton had their passions, understood their character, and spoke their language. He was enthusiastic, but sincere—without malice but without virtue—suspected of rapacity, though he died poor—coarse in his manners and his conversation—sanguinary from system rather than temperament, he cut off heads, but without hatred, like the executioner, and his Machiavelian hands trickled with the carnage of September. Abominable as well as false policy! he excused the cruelty of the means by the greatness of the end."

"Danton was intemperate, abandoned in his pleasures, and greedy of money, less to hoard than to spend it; Robespierre, sombre, austere, economical, incorruptible. Danton, indolent by nature and by habit; Robespierre, diligent in labor, even to the sacrifice of sleep. Danton disdained Robespierre, and Robespierre contemned Danton. Danton was careless to a degree of inconsistency; Robespierre, bilious, concentrated, distrustful, even to proscription. Danton, boastful of his real vices, and of the evil which he did, and a pretender even to crimes which he never committed; Robespierre, varnishing his animosity and vengeance with the color of the public weal.

"Robespierre, a spiritualist; Danton, a materialist, little concerned to know what, after death, should become of his soul, provided his name was inscribed, as he expressed it, 'in the Pantheon of history.'"

"Danton went to sleep, confiding in the deceitful breeze of his popularity. The rudder slipped from his hands. He dropped into the deep, and the gulf closed over him. Neither the favor of the Cordeliers, nor the celebrity of his name, nor the memory of his services, nor the ill-suppressed mutterings of the Convention, nor the secret sympathies of the Revolutionary Tribunal, nor the devotedness of his friends, nor the unimportance of the charge, nor his love for liberty, nor his daring, nor his eloquence—nothing could avail to save him. The knife was raised, and Robespierre awaited his victim.

"Danton, on his way to execution, passed by the residence of Robespierre. He turned about, and with his voice of thunder, 'Robespierre!' he exclaimed, 'Robespierre! I summon thee to appear within three months upon the scaffold! He ascends the fatal steps—he embraces for the last time his friend Camille Des-

moulins. The executioner separates them: 'Wretch,' said he to him, 'thou canst not hinder our heads to kiss each other presently in the basket.'

Of "Timon," in his description of military eloquence, as exhibited by Napoleon, and in the portraits he has drawn,

always wittily and with a fine skill, if not always with supreme justness, of the orators and ministerial leaders belonging to the Restoration and to Louis Philippe's France—the France of this day—we may speak in another number.

## FOREIGN MISCELLANY.

THE Literary Intelligence from abroad is of small variety or moment this month. The political news is of more interest, but does not vary greatly from that of the last arrival. We have received one of two letters from Paris, partly on general topics of the time, partly a pleasant description of the Parisian life in May.

PARIS, May 16th, 1847.

The difference between Greece and the Sublime Porte is far from being adjusted. The Russian cabinet, and, after long hesitation, the Austrian also, have given in their adhesion in favor of Turkey. Instructions to this effect, even more peremptory than those of Lord Palmerston have been dispatched from their respective courts to the ambassadors of Russia and of Austria at Athens. The danger which threatened the Greek government on the side of the English, is diminished by the proposition of M. Eynard, an ardent Philhellene, to become personally responsible for the interest of the British loan. It is rumored that designs have already been formed at Constantinople with a view to replace King Otho on the throne of Greece by a son-in-law of the Emperor of Russia. The Græco-Turkish affair becomes daily more complicated, and may lead to serious consequences.

It is stated in the journals of this morning that the Queen of Portugal has been forced to quit Lisbon and seek refuge on board an English vessel of war lying in the Tagus. However this may be, it is certain that she has at length ceased her obstinate resistance to the terms proposed by the mediation of Great Britain. Colonel Wylde embarked on the 30th of April for Oporto with the instructions of the Queen and the English Minister. These instructions offer to the Junta, the moment it shall lay down arms, a complete amnesty for all political offences committed since last October, and the recall of the exiles; the immediate revocation of all edicts issued since the same period, inconsistent with the established laws and the constitution of the country; the convocation of the Cortés, directly after the new elec-

tions; and the formation of a ministry composed of men belonging neither to the party of Cabral, nor to that of the Junta.

A great sensation was excited at Madrid on the 4th of May by a supposed attempt to assassinate the Queen Isabella. Don Angel de la Riva, a newspaper editor, formerly an advocate, and whose antecedents by no means justify the accusation, has been arrested upon suspicion of being implicated in the crime. The Queen, by a decree on the 5th prorogued the Cortés, *sine die*. On the next day, more than 60 deputies of the moderate opposition nominated a permanent committee, whose duty shall be, during the suspension of the parliamentary session, to watch over the general interests of the party.

In Germany, all eyes are turned upon Berlin, where the Diet, skillfully avoiding unpleasant collision with the royal will, has eluded or put off the irritating difficulties of theories and principles, and confines itself, for the present, to the discussion of positive, practical affairs. Many journals complain of the sterility of the debates of the Diet, which, according to them, wastes a great many words without really accomplishing anything. But it is unjust to consider the part that is played by this assembly as useless and altogether barren. It has already obtained from Frederick William a modification of the bitter and haughty language of his opening discourse, in which absolute monarchy gravely presented itself to the people under the colors of mysticism. Prussia may yet be obliged to struggle a long time for the attainment of its ardent desires, but its first step towards this has now been made, and is only the beginning of an end.

In France, a singular state of things just now is presented in the political world. In a recent debate upon French colonial slavery, the most frightful details, in all probability, however, exaggerated, were given by M. Lédou-Rollin, in reference to the present condition of the slaves in the colonies, and the inefficiency with which government has prosecuted the means devised for speedy emancipation. After this subject had been discussed, the ques-



tion of supplementary credits came up. The cipher of this budget increases annually, and well deserves to be called, as it has been, the "ulcer of the body-politic" of France. In connection with this matter, the affairs of Algeria were touched upon, but only in a cursory manner. The consideration of the project of postal reform will, likewise, in all probability, be adjourned until another session, under the pretext of giving the new minister time to study the question, which was not at all likely to have been determined even had no change taken place in the administration. The change of ministry, or rather of ministers, which took place last week, involves no change of policy. It simply became convenient for the influential ministers—that is, M. Guizot and M. Duchatel—to sacrifice three of their colleagues by way of expiation for the faults of the cabinet. MM. de Mackau and Moline de St. Yon, ministers of the marine and of war, and M. Lacave-Laplagne, minister of finance, were therefore bowed out of their places. The sailor and the soldier obeyed the countersign of their chiefs, but the financier was not so flexible, alleging that if the treasury was in a bad state, it was the fault of the whole government, and could not be charged exclusively upon his shoulders. He was therefore dismissed, while the other two resigned. It is said that some difficulty was experienced in providing them with successors, and, at length, the telegraph communicated to M. Jayr, prefect of the Rhone, to the Duke of Montebello, ambassador at Naples, and to Lieutenant-General Trézel, that they were elevated to the subaltern posts which the great ministers have been pleased to assign to them. M. Dumon, minister of public works, (put in the place of M. Jayr, whose name is quite unknown in Paris,) has himself been appointed in place of M. Lacave-Laplagne, late minister of finance. This was effected at the very moment that M. Dumon was the object of severe attacks for the inability manifested by him to say the little word *no*, in his former position, and behold he is now comfortably placed where he will be able to pay for what he has hitherto been unable to refuse. The three newly appointed ministers, were all members of the Chamber of Peers, and all absent from their seats, at the lucky or fatal moment when they were detected away from the scene of their legislative duties and condemned to "*travaux forcés*"—in the ministry. Perhaps it may not be long before the royal pleasure will commute their sentence to—dismissal.

The Chamber of Peers has been summoned to assemble as a high court to judge one of its members for being engaged in a certain

negotiation with a railroad corporation, which shows how rare is political integrity even in the highest places of trust. The parties in the case are a lieutenant-general, peer of France, ex-minister of the King, and another peer of France, president of the chamber of the Court of Cassation, and also ex-minister. The letters of Lieut. Gen. Cubières accuse not only an ex-minister, but the entire government of not being guiltless in this scandalous transaction. The whole affair is only one stray leaf from the secret history of the present day. How many shameful mysteries may not this history conceal! It is due to the French people, however, to declare, that while on all hands the changes are rung on this expression of Tacitus, "*corrumpere et corrumpi, sæculum vocatur*," the very fact that such complaints are reiterated, proves that corruption cannot after all be so deep and extensive as might be feared, in a community where the late deplorable instance of it in the Chamber of Peers is so bitterly and universally lamented.

PARIS, 31st May, 1847.

May is a pleasant month at Paris. The heat, even at noon, is not yet so violent as in summer, and for some time past, each returning dawn might have inspired the exquisite lines of old Herbert:

"Sweet day, so cool, so calm, so bright,  
The bridal of the earth and sky!"

In the public gardens, the foliage vies with that of June, while the blossoms and flowers of an earlier season refresh the eye. Nothing is now more enchanting than the garden of the Luxembourg. The cool breezes of morning or of evening are there laden with fragrance. White statues gleam forth from shady avenues, birds sing happily, emulating the voices of children playing under green trees, strains of martial music are in the air, tremulous light lingers and plays about the murmuring fountain of Jacques Debrosses, swans glide over the pretty lakelet in the parterre, which is gay with lilacs, tulips, young roses and geraniums, moving groups exhibit all varieties of complexion, costume, and manner, the fine palace, with its memorable associations, rises in front of the distant Observatory, telegraphs wave their long arms mysteriously on the towers of St. Sulpice, the cross surmounting the Sorbonne is burnished by the sun, and the whole animated scene is crowned by the dome of the Pantheon.

At the very moment that such attractions enliven the metropolis, the annual emigration to watering places commences. But while a small flock of summer wanderers, who have fluttered during the winter in the gilded cages of fashion, hurry

away by one of the thirty-six gates of Paris, thousands of provincials and foreigners enter by the others, and throng the gardens and promenades in and around the capital.

Several patronal fêtes which are held at this season in the vicinity of Paris, afford to strangers illustrations of the national character. The most interesting of these—the coronation of the *Rosière*, as it is called—was celebrated last week at Nanterre. Here the village maiden whose eighteen years have passed most innocently and virtuously, is selected and crowned with a garland of May flowers. This beautiful custom is only one out of a thousand showing the tenacity with which the French, in spite of their proverbial fickleness, cling to time-honored observances. The church where the ceremony was performed presented a brilliant assemblage of persons of distinction and rank, who, perhaps, in the midst of their own dazzling pleasures, might well envy the simple joys of this village festival.

The dance, which is an angel on the village lawn, may, in the city ball-gardens, be a "demon in disguise." But it is at least skillfully disguised, and the deception is scarcely detected behind the bravery of silks and satins, and in the excitement of eccentric motions. One does not at first perceive that the wreath here encircling the brow of meretricious beauty is like the fig leaves in the basket of the Egyptian Queen, which bore the asp's trail and slime upon them, while the sly worm itself lurked beneath.

The summer ball at Paris bewilders by its fascinations—its illumination, rendering the flowers and foliage distinctly visible, its various amusing games, its gay crowds, its polkas and mazourkas, with their wild extemporaneous variations, its voluptuous waltzes and cachucas, and its enlivening music: "*intextas habebat cupiditates, voluptates, delicias, illicebas, suspiria, desideria, risas, jocos, blanda verba, gaudia, jargia, et hujusmodi, quibus amatorum vita constat.*" The *Jardins-Mabille* mourn this year the loss of one of their living incarnations of the dance, *la reine Pomaré*, one of the most renowned nymphs of the Parisian Olympus.

Not only the public balls, but also the floating baths on the Seine, are now open, and afford one of the greatest physical luxuries. The annual exhibition at the Louvre is closed, but many of the best pieces of painting and sculpture will be secured for the galleries of the Luxembourg, and the people are consoled for not seeing any longer the portraits of Ibrahim Pacha and the Bey of Tunis by the privilege of daily staring in the streets at *Bou-Maya*, the pretended Messiah of the Arabs, who, by the way, voluntarily surrendered himself, and was not captured, according

to the erroneous statements of the French journals. The evening services in the different churches during this month, devoted to the honor of the blessed Virgin, are highly interesting to the Catholic. But it is characteristic of the Parisians, that the picturesque attitudes of the fair penitents lisping the sweet words,—"Qu'elle est bonne, Marie!"—and the exquisite music,

"And storied windows richly dight  
Casting a dim religious light,"

lend to these services, especially at the elegant *Notre Dame de Lorette*, the *boudoir* of our Lady, as it has been called, a peculiar charm which has more of earth than of heaven, and places them decidedly among the most refined amusements of the season.

But the chosen diversions of the Parisians during the last six or eight weeks, have been equestrian. The "lions" have been transformed into centaurs, and everywhere, at the steeple-chase of the *Croix-de-Berny*, at the races of Versailles, the *Champ-de-Mars*, and *Chantilly*, at the *Cirque* and at the *Hippodrome*, the horse has been the hero. The *Hippodrome*, particularly, has offered unprecedented attractions. Not content with the monkey and stag and hurdle and Roman chariot races; with the *Carrousel* or with the invitation of the dainty minuet, and more extravagant modern dances by the miraculous horses of *Franconi*, the director has attempted to revive the memory of those splendid and graceful shows which threw so much light and elegance over the dames and warriors of yore. The famous "*Field of the Cloth of Gold*" has been represented with a surprising perfection of detail and general effect. The spectator is transported in imagination to the chivalric ages, and almost believes himself present at the tournament with its gorgeous display of royal and baronial pomp, as the brilliant cortège defiles before him. At its head ride Francis I. and Henry VIII., in company with Claude of France and Catharine of Arragon, and followed by a brilliant train of the most valiant lords of France and England. There pass the King of Navarre, the Dukes d'Alençon, de Vendôme, de Lorraine, Strafford, York, Lancaster, and the rest—"tous portants," says Dubellay, a chronicler of the time, "*chamarres de velours, cramoiis, grosses chaines d'or au col, et en general tres bien accomodés, tant d'habillemens que de chevaux: enfin, magnifiquement empanachés, dorés, surdoris tellement que plusieurs entre eux portaient leurs forêts, leurs prés, et leurs moulins sur leurs epaules.* Court ladies, mounted upon white palfreys, precede a band of Knights armed for combat, the lustre of gold and silk blending with that of flashing

steel. Heralds, pages and squires bring up the rear. Eighty horses prance and caracole under their caparisons of iron or of velvet. Feathers, white plumes, and banners covered with fleurs-de-lys, toss and wave in the wind. The opponents are ranged in due order after having done obeisance to the monarchs and queens and noble dames, who survey the field from a pavilion adorned by fitting heraldic emblems. And now, as sings the old verse of Palamon and Arcite,

"the challenger with fierce defy  
His trumpet sounds; the challenged makes  
reply.

With clangor rings the field, resounds the  
vaulted sky.

Their visors closed, their lances in the rest,  
Or at the helmet pointed, or the crest,  
They vanish from the barrier, speed the race  
And spurring we see decrease the middle  
space."

At Chantilly, the Duke of Aumale, the wealthiest and most parsimonious of Louis Philippe's sons, has this year loosened his purse-strings, and aimed to rival the magnificence of the Condé, whose heir he is, and to eclipse the fêtes celebrated during the present month at Loo. It is singular that the latter place, in Holland, is the only one in Europe where falconry, the "mystery of rivers," the favorite sport of the ancient feudal nobility, is still practised to any extent. The little village of Falconsward has for many years furnished falconers to the rest of the continent, and to Great Britain. The fine old game was not revived at Chantilly, and no one rode there

"With grey gros hawk on hand,"

as Chaucer says. But hunting—the "mystery of woods"—diversified the sports of the turf, and lansquenet—the French "brag"—lent its excitements to the occasion, and led, by the way, to the most awkward consequences in the case of one visitor. This person was detected in cheating at cards, and his prospects of a brilliant career in France are forever cut off. Belonging to a distinguished and wealthy family, his mother possessing an enormous fortune, one of his sisters married to a great banker of Paris, another to a General, a third wearing one of the most illustrious names of the empire, himself enjoying an annual income of twenty thousand francs, and on the point of being promoted from the post of captain to that of chef d'escadron, he had no excuse for resorting to the piracies of gambling, except as a means of supplying the prodigalities of a "lionne" who belongs neither to the opera nor to the parish of Notre Dame de Lorette, but to the same exalted circle of rank in which he has himself moved. He had the assurance to present himself before the prince on the morning

after his detection, but was ordered immediately to retire, yield his commission and quit the country. So much for corruption in the highest spheres of fashionable life in France.

Of course, one must not expect to find more integrity in political circles. The case of Gen. Cubières, charged with attempts at bribery in reference to certain concessions sought for by the proprietors of a mine,—a case implicating, it would seem, not only himself, a peer and ex-minister, and another peer and ex-minister, but also, to an unknown extent, several persons holding high authority,—will be brought before the House of Peers, summoned already to his trial, within a few days. Curious developments of the secret history of the time are anticipated.

Even if it were impossible to accuse the present government with the taint of corruption, still the charge of slowness in effecting national reforms and industrial enterprises may be justly preferred against it. It is desirable that the government should be less dilatory in the establishment of the proposed lines of trans-Atlantic steamers. Seven or eight years have elapsed since the matter was decided upon, and the consideration of questions relating to all of them, except that from Havre to New York, was again adjourned the other day to a future session. The first French steamer from Havre to New York was to have sailed to-day, but its departure has, for some unknown reason, been postponed for at least a week. In addition to the numerous projects of reform which have been rejected during the present session of the Chambers, the proposition of postal reform has just been set aside on the ground that it would be unsafe to expose the country in the reduction of the revenue which would necessarily follow, for at least three or four years, a reduction in the price of postage, in the present state of the finances.

The recent change in the ministry is merely a change of instruments, but not of policy. M. Lacave Laplagne, Minister of Finance, and MM. de Mackau and Moline St. You, Ministers of Marine and of War, no longer belong to the cabinet of which MM. de Montebello (for the Marine), Drézel (for War), and Jayr (for Public Works, in place of M. Dumon, who succeeds M. Lacave Laplagne), are the new members. Guizot and Duchâtel, who have thus sacrificed their colleagues at their own good pleasure, are the only effective ministers. But if, as is conjectured, their present personal differences should remain unadjusted, an entirely new ministry may soon be substituted for that now in power.

The opposition journals complain bitterly of the decline of French influence

abroad. At Madrid it is null in spite of the vaunted Spanish marriages, one of which—that of the Queen—has become so much sooner than could ever have been anticipated the cause of discord and unhappiness: Isabella is resolute in suing the Pope for a divorce. At Lisbon, France sees herself forced to join Spain in an arrangement which has been planned and almost accomplished by England, who will reap the principal advantages. But we must rejoice that the intervention of these three countries, now rendered requisite by the refusal of the Junto of Oporto to accede to the terms recently proposed, will probably secure a respite from civil war to Portugal, now so fallen, but once a noble nation. At Athens, the Greek cabinet has accepted the humiliating conditions proposed by Austria, whom it chose, in preference to France, as arbiter in its difficulties with the Ottoman Porte, and Coletti will probably proffer due apologies for the alleged insult to Mussurus. Even at Rome, the French, who style themselves “the eldest son of the Church,” and have

just paid a rich tribute to the Holy See, by the passage, in the Chambers, of the bill relative to the Royal Chapter of St. Denis, are fearful of the effect on their influence there which will be caused by the renewal, now deliberated upon, of relations between the Papal court and the court of St. James.

Ireland is now mourning the loss of O'Connell, whose recent death, at Genoa, has naturally produced a deep sensation, but is of much less political importance than it would have been, had it occurred a few years ago. The great champion of Repeal had, in fact, outlived his day of power over the wills of his countrymen. What a wonderful power it was which he wielded!

But I may not dwell upon this prolific subject. My principal aim in this letter has been to give you some idea of Parisian amusements in the month of May. The hour for the departure of the mail has come, and I must abruptly close.

Yours respectfully,

C.

## CRITICAL NOTICES.

*A Year of Consolation.* By MRS. BUTLER (late FANNY KEMBLE). Wiley & Putnam: New York.

A book about Italy, or even any part of Europe, nowadays, must have some considerable merit to be at all readable.

We are surfeited with ruins, and beggars, and illuminations, and ceremonials, and paintings. There is a glut in the market. People have their houses full of Italian views, and their libraries full of Italian travels, and boarding-school misses are twaddling *nelle parole Tuscanæ*.

Yet here is another book from Mrs. Butler—and it sells. It gives a run through France, and a year in Rome. The name of Fanny Kemble alone would insure its circulation, had it but little merit of its own. But merit of a certain kind it has. It is gossiping, lively, with here and there strokes of wit, and upon the whole a natural and truth-telling air.

We cannot always, it is true, approve her taste in pictures—as when she sneers at the wonderful Vanity and Modesty of Da Vinci, or the Judgment of Angels; or in statuary—as when she prefers Antinous to the Gladiator, or the Red Satyr of the Capitol; or in words—as when she uses such expressions as these: “they are triple-cased in the impervious callousness of the lowest degradation”

(p. 67, vol. i.)—“the boat kicked like an old rusty fowling-piece” (p. 52, vol. i.)—“I smiled a sort of verjuice smile” (p. 11)—“as sick as possible and a great deal crosser” (p. 1)—“nosegays so thick and heavy, that they stove in one's bonnets” (p. 79). And when we find her speaking, as in page 133, of “the imbecility of the government, being like dung spread upon the soil,” and in page 32, of “men and women, stinking of garlic,” and in page 3, of “the ingenious twisting up of the horses' tails, with an eye to her own back-hair!”—it makes us tremble for her womanly delicacy.

And having seen Madame Butler—and that, too, in the streets of her 'admir'd Rome, and in the very gust of that Carnival which she so well describes—and having seen her modest, womanly-bearing—nay more—having actually been honored with a bunch of blue violets at her hands, and having given a sweet rose-bud in return—we wondered a little to find her in use of such hard words as we have set down.

But she has pretty language as a set-off: her description of the gorgeous illumination is both one of the best written and truest that we have ever seen, and (setting aside Dickens) the same may be said of her Carnival Scene—in which she is true, even to her own and her sister's



dress; and we doubt much, but that among her *spolia opima*, was a little basket of *bon bons* from our own hand.

There is this sweet glimpse from the over-worked Coliseum:—"The sun searched with a delicious warmth the recesses of the Great Ruin—the blue sky roofed it in with tender glory, and looked with limpid clearness through the beautiful arches, as they rose, tier above tier, into the morning air, and from every rift and crevice, and stony receptacle, where an inch of soil could lodge, curtains of exquisite wild spring flowers fell over the brown rich masses of masonry—delicate garlands wound themselves around the bases of huge fallen columns—full tufted bushes of dark green verdure rocked and swayed in the spring breath along the ranges where the heroic Roman people had thronged the seats of their great slaughter house,—and high up against the transparent sky, light feathery wands of blossom sprang from the huge walls, crowning the grim battlement with their most fragile beauty."

And this is as true as it is beautiful.

Pleasant anecdotes lie scattered along the volume, which, Mrs. Butler had the good sense to perceive, would be needed, to relieve, nowadays, any book on Rome.

Passionate lines of verse, too, are sown up and down, full of feeling, and her own feeling doubtless—but for that very reason appearing a little unfavorably amid the general gossip of the book.

We do not think the work will throw much new light on Italy, or on Italian character, or that Mrs. Fanny expects as much; at the same time, there is in it a great deal of shrewd observation, mingled with the careless jottings of travel. We particularly commend, for its truthfulness, this paragraph on American women, hoping they will profit by it, and that Mrs. Butler, when she visits us, will add her powerful example to her amiable precept:

"So great and universal is the deference paid to the weaker vessel, indeed, in the United States, that I think the fair Americans rather presume upon their privileges; and I have seen ladies come into crowded steamboats and railroad cars, and instantly assume the seats, that have been as instantly resigned by gentlemen upon their entrance, *without so much as a gracious word, or a look of acknowledgment*; so certain is the understanding that every accommodation is not only to be furnished, but *given up* to them,—and this not to *young, pretty*, ladies, but to women old or young, pretty or ugly, of the highest or lowest class. Though the virtue on the part of the American men is certainly very great, I think it has made their women quite saucy in their supremacy, and altogether unblushing in their mode of claiming and receiving it."

*The Philosophy of Magic, Prodigies, and Apparent Miracles; from the French of EUSEBE SALVERTE: with notes illustrative, explanatory, and critical, by ANTHONY TODD THOMSON, M.D., F.L.S., &c. In two volumes. Harper & Brothers. New York: 1847.*

The late Eusebe Salverte, a French gentleman of Republican principles, and a scholar of great learning and judgment; indeed, if we may trust Arago's eulogy of him, "one of the most learned men of our age, in languages, science, and political economy," undertook to examine the stories of miracles and prodigies related by ancient historians, in a philosophical spirit; for a sceptical sneer, substituting a scientific explanation. We have read his work with great attention, and cannot but set a very high value upon it as a truly philosophical production, likely to do infinite service to science and liberal learning. It is certainly an important step towards a better opinion of human nature to have relieved the great writers of antiquity from the odium of falsehood which has fallen upon them, since, through the discoveries of modern times their narratives of miracles and prodigies have become exceptionable or ridiculous. Could they rise from their tombs, they could not but thank the learned Salverte for the service he has done their reputations in this ingenious and truly delightful work, the "Philosophy of Magic."

Dr. Todd, the translator of these volumes, has very judiciously omitted the explanations of scripture miracles. "I have felt it my duty," says he, "to expunge from their pages every passage relating to the sacred volume, and at the same time to change somewhat the title of the work, by substituting the words "apparent miracles," for "miracles."

It is well known that the Egyptians worked miracles by magic; but the Fathers of the Church believed this magic to be of demoniacal origin, and a trick of the devil. We have but to read Salverte, to understand that whatever magic they used must have been grounded in practical chemistry.

Why the science of the ancients should have fallen into oblivion, is also explained.

"If any one," says Salverte, "remain sceptical regarding (the existence of a real science of chemistry in the arcana of the temples,) he may convince himself by reference to the analogy displayed in the progress of alchemy prior to the rise of true chemistry, to have there a type of the empirical manner in which the sciences were studied, cultivated and fostered, in the ancient temples. The priests searched after, and sometimes produced, astonishing phenomena; but neglecting the theory of

the principles, and preserving no record of the means employed," (every science is founded in its own history), "they rarely succeeded twice in obtaining the same results;"—and those which they did obtain, like the fireworks of old-fashioned chemical lecturers, were directed more to the eye than to the mind, and so contrived as to astonish without enlightening. "Their great object was to conceal the processes, and to retain exclusive possession of their secrets." "The ancients," says Buffon, "reduced all sciences to practice. All that did not immediately concern society, or the arts, was neglected; and, as they regarded man in the light of a moral being, they would not allow that things of no palpable utility were worthy of his attention." This universal precept was applied in all its force to the study of occult science; but nothing was expected from the knowledge it imparted, except the power of working miracles. "From such" an utilitarian view, "the consequence could only have been the acquirement of a partial knowledge, accompanied with great ignorance in other respects; and, instead of a science, whose connected parts so depend upon and suggest one another that the utility of the whole effectually preserves the details from oblivion, every part held an isolated position, and ran the risk of being altogether lost; a danger rendered more probable every day by the increase of mystery."—pp. 187-8.

In fine, the book is worth any man's time to read it, and contains nearly everything desirable to be known on the subject of the ancient superstitions, the temples and the arts of priest-craft.

*The Constitutional History of England, from the Accession of Henry VII to the Death of George II.*: by HENRY HALLAM, *Author of Europe in the Middle Ages, &c.* (1 Vol., large 8vo.) New York: Harper & Brothers. 1847.

It is almost useless to say anything in the small limits of a notice of such a work as Hallam's Constitutional History. It is on the list of law studies as a primary book, to be read in connection with Blackstone. Those who mean to use it with advantage would do well to read their Blackstone first, and they will understand Hallam none the worse for it. The author is a decided monarchist, and treats the sectaries and Republicans with the greatest contempt; yet for all that he is well read in the Parliamentary historians, and

uses Cromwell with respect. This work is the reverse of anecdotal—it is a history of the forms of the English Constitution.

*1844; or, The Power of the S. F. A Tale—developing the secret action of Parties during the Presidential Campaign of 1844.* By THOMAS DUNN ENGLISH.

This book, as far as we have read it, seems to be an attempt to show, that the Whigs of New York City—or at least a part of them—in the Election of 1844 endeavored to obtain a large number of votes here, by secret betting and mercenary operations among the gamblers and denizens of the lowest parts of the city—in just the same manner as the author of the "Mystery of Iniquity" described schemes to obtain false votes to have been entered into by the Democrats. Of the degree of credit due to either exposition, readers can judge. The "Power of the S. F." is told with some vigor, and displays a talent for description—but it is not pleasant reading, for it deals almost entirely with dissolute scenes, with characters worthless and abandoned, and with the devices of political hypocrisy and chicane.

*History of the Conquest of Peru, with a preliminary view of the Civilization of the Incas.* By W. H. PRESCOTT. New York. Harper & Brothers.

Mr. Prescott's new work on Peru has just been issued in two splendid volumes from the press of the "Harpers;" the English critics are heroic in praise of it as an artistic and most powerfully and picturesquely written work.

*A Voyage up the River Amazon, including a Residence at Para.* By WILLIAM H. EDWARDS. New York.

These travels certainly go over a most delightful and splendid region of country. We have always thought, with the author, that it is a matter of surprise, that those who live upon the excitement of seeing and telling some new thing, have so seldom betaken themselves to our southern continent. The book treats of a variety of scenes, and is very pleasant reading. It may be made the occasion of an extended view of the scenery and resources of that magnificent country, which is so little known.